United Nations CEDAW/C/TGO/1-5

Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
18 March 2004
English
Original: French

Committee on the Elimination of Discrimination against Women

Consideration of reports submitted by States Parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women

Initial, second, third, fourth and fifth periodic reports of States Parties

Togo*

* The present report is being issued without formal editing.

04-27833 (E) 060504 060504

Contents

	Page
Abbreviations	3
Introduction	10
Part I: General information about Togo	11
1. The geographic setting	11
2. Political and administrative structure	27
Administrative map of Togo	30
3. General legal framework for the protection of human rights in Togo	30
4. Information and publicity	32
Part II: Information relating to articles 1 to 16 of the Convention	33
Article 1	33
Article 2	34
Article 3	40
Article 4	41
Article 5	42
Article 6	48
Article 7	52
Article 8	54
Article 9	57
Article 10	59
Article 11	80
Article 12	92
Article 13	109
Article 14	113
Article 15	123
Article 16	125
Conclusion and recommendations	130
Bibliography	133
List of members of the Sectoral Technical Committee	134
List of participants in the validation workshop	135

Abbreviations

ACA	Africaine d'Assurance de Courtage et de Gestion de Patrimoine [African insurance brokerage and heritage management company]
AFESTO	Association Femme et Sport du Togo [women and sports association of Togo]
AGF	Assurance Générale de France [General Insurance Company of France]
AGT	Assurance Générale du Togo [General Insurance Company of Togo]
ATBEF	Association Togolaise pour le Bien-Etre Familial [Togolese family welfare association]
ATOP	Agence togolaise de presse [Togolese Press Agency]
AVE	Association villages d'entreprises [Village enterprise association]
BCEAO	Banque Centrale des Etats de l'Afrique de l'Ouest [Central Bank of the West African States]
BEPC	Brevet d'études du premier cycle [school leaving certificate]
BFHI	Baby-Friendly Hospital Initiative
BIA-TOGO	Banque Internationale pour le Togo [International Bank, Togo]
BNI	Banque Nationale d'Investissement [National Investment Bank]
BTCI	Banque Togolaise pour le Commerce et l'Industrie [Togolese Bank for Trade and Industry]
BTD	Banque Togolaise de Développement [Togolese Development Bank]
C2A	Compagnie Africaine d'Assurance [African Insurance Company]
CAMEG-TOGO	Centrale d'Achat des Médicaments Génériques [generic drugs purchasing agency]
CAMES	African and Malagasy Council for Higher Education
CDB	Comité de développement à la base [grassroots development committee]
CDR	Crude death rate
CEA	Centre d'Études Africaines [African studies centre]
CEAFDAW	Convention on the Elimination of All Forms of Discrimination against Women

CECA	Coopérative d'épargne et de credit artisan [Craft workers saving and credit cooperative]
CEG	Collège d'enseignement général [general high school]
CEPD	Certificat d'études du premier degré [level I certificate]
CET	Caisse d'Epargne du Togo [Togo savings bank]
CFI	Canal France International.
CHR	Centre hospitalier régional [regional hospital]
CHU	Centre hospitalier universitaire [university hospital]
CICA-RE	Compagnie Interafricaine de Courtage et de Réassurance [Inter-African Brokerage and Reinsurance Company]
CMEC	Caisse Mutuelle d'Épargne et de Crédit [Mutual Savings and Credit Union]
CNDH	Commission Nationale des Droits de l'Homme [National Human Rights Commission]
CNOT	Comité national olympique togolais [Togo National Olympic Committee]
CNSS	Caisse Nationale de Sécurité Sociale [National Social Security Fund]
CP1	Preparatory course, first year
CP2	Prepatory course, second year
CPDE	Caisse Populaire pour le Développement de l'Entraide socio-économique [Credit Union for the Development of Mutual Socio-Economic Assistance]
CPES	Elementary primary leaving certificate
CPPE	Centre de Protection de la Petite Enfance [Centre for the Protection of Young Children]
CRAC	Centre Régional d'Action Culturelle [Regional Cultural Action Centre]
CRETFP	Centre Régional d'Enseignement Technique et de Formation Professionnelle [Regional Technical Education and Vocational Training Centre]
CVD	Village development committee
DAAS	Educational Affairs and Course Requirements Directorate
DETFP	Technical Education and Vocational Training Directorate
DFS	Decentralized funding system
DGDS	General Directorate for Social Development
DGPF	General Directorate for the Advancement of Women

DPP	Planning and Population Directorate
DRDR	Regional Rural Development Directorate
DSF	Family Health Division
DSSP	Primary Health Care Directorate
EAM	Ecole des Assistants Médicaux [Medical Assistants Training School]
EAMAU	Ecole Africaine des Métiers d'Architecture et Urbanisme [African School of Architecture and Urban Planning]
ECOWAS	Economic Community of West African States
EDIL	Ecole d'Initiative Locale [School of Local Initiative]
EDITOGO	Société Nationale des Editions du TOGO [Togo National Publishing Agency]
EDF	European Development Fund
ENA	Ecole Nationale d'Administration [National School of Administration]
ENS	Ecole Normale Supérieure [National Teacher Training School]
ENSI	Ecole Nationale Supérieure des Ingénieurs [National College of Engineering]
EPHATA	School for deaf-mutes
ESA	École Supérieure d'Agronomie [College of Agricultural Science]
ESSD	Ecole Supérieure de Secrétariat de Direction [College of Executive Secretarial Training]
ESTBA	Ecole Supérieure des Techniques Biologiques et Alimentaires [College of Biological and Food Technology]
FAO	United Nations Food and Agriculture Organization
FASEG	Faculté des Sciences Economiques et de Gestion [Faculty of Economic and Management Science]
FAWE	Forum of African Women Education.
FDD	Faculty of Law
FDS	Faculty of Science.
FHAP	Family health and AIDS prevention
FLESH	Faculté de Lettres et Sciences Humaines [Faculty of Humanities]
FMMP	Faculté Mixte de Médecine et de Pharmacie [Mixed Faculty of Medicine and Pharmacy]

FOB	Free on Board
FONGTO	Fédération des ONG du Togo [Federation of Togo NGOs]
FORES	Fédération des ONG de la region des savanes [Federation of NGOs of the Savanna region]
FP	Family planning
FTF	Fédération Togolaise de Football [Togolese Soccer Federation]
FUCEC-TOGO	Fédération des Unions Coopératives d'Epargne et de Crédit [Federation of Savings and Loan Cooperatives]
GCA	Générale de Courtage d'Assurance [General Insurance Brokerage Company]
GDAP	Gross domestic agricultural product
GDP	Gross domestic product
GF2D	Groupe de Réflexion et d'Action Femme Démocratie, Développement [Women, Democracy and Development Study and Action Group]
GIPATO	Caisse d'Epargne et de Crédit du Groupement Inter-professionnel des Artisans du Togo [Togo Craft Workers' Joint Savings and Credit Union]
GNP	Gross National Product
GPM	Growth promotion monitoring
GTA	Groupement Togolais d'Assurance [Togo Insurance Group]
HAAC	Haute Autorité de l'Audiovisuel et de la Communication [Audio-Visual and Communications Regulatory Authority]
HMC	Health management committee
ICAT	Institut de Conseil et d'Appui Technique [Technical Advisory and Support Institute]
ICCD	International Conference on Cooperation and Development
IGERCO	Internationale de Gestion de Représentation et de Courtage [International Representation and Brokerage Management Company]
INSE	Institut National des Sciences de l'Education [National Institute for Studies in Education]
IPPF	International Planned Parenthood Fédération.
ITRA	Institut Togolais de Recherche Agronomique [Togo Agricultural Research Institute]

JARC	Jeunesse Agricole Rurale Catholique [Catholic Rural Farm Youth]
LONATO	Loterie Nationale Togolaise [Togolese National Lottery]
MEN-R	Ministry of National Education and Research
MMR	Maternal mortality rate
MPA	Minimum package of activity
NDC	Neighbourhood development committee
NGO	Non-governmental organization
OAU	Organization of African Unity
OPA	Organisation de Producteurs Agricoles [Agricultural Producers' Association]
OPEA	Organisation Professionnelle Economique Agricole [Professional Economic Farm Association]
OTP	Office Togolais des Phosphates [Togo Phospates Board]
PAGED	Programme d'Appui à la Gestion de l'Education [Educational Management Support Programme]
PDE	Population and development education
PECIF	Programme d'Education à la Citoyenneté de la Femme [Women's Citizenship Education Programme]
PMTR	Prime Minister of the Togolese Republic
PNLS/IST	Programme Nationale de Lutte contre le SIDA/Infection Sexuellement Transmissible [National AIDS/STD control programme]
PSI	Population Service International
PVVIH	Person living with HIV
RFI	Radio France Internationale.
RH	Reproductive Health
RIF-AMARC-TOGO	World Association of Community Radio Broadcasters – Women's International Network
RNET	Régie Nationale des Eaux du Togo [Togo National Water Authority]
RTLF	Réseau Togolais pour le Leadership Féminin [Togolese Network for Women's Leadership]
SCC	Savings and credit cooperative
SDN	League of Nations.
SIAB	Société Interafricaine de banque [Inter-African Banking Corporation]

SMI	Small and mid-sized industries
SMIG	Salaire Minimum Inter-professionnel Garanti [minimum wage]
SNCFT	Société Nationale des Chemins de Fer du Togo [National Railways of Togo]
SNSJA	Service National de Santé des Jeunes et des Adolescents [National Youth and Adolescent Health Service]
SOCAR/SARL	Société de Courtage d'Assurance et de Réassurance [Insurance and Reinsurance Brokerage Corporation]
SOCODEVI	Société de Coopération pour le Développement International [Cooperation for International Development Society]
SOTOCO	Société Togolaise du Coton [Togolese Cotton Corporation]
SYNORSEC	Synergie Nord-Sud pour l'Epargne et le Crédit [North-South Synergy Savings and Loan Association]
TFR	Total fertility rate
TOGO-CELL	Société Togolaise de Téléphonie Mobile [Togo Cellular Telephone Corporation]
TOGOPHARMA	Société Nationale des Pharmacies [National Pharmacies Corporation]
TOGO-TELECOM	Société Togolaise de Télécommunication [Togolese Telecommunications Corporation]
TVT	Télévision Togolaise [Togolese Television]
UAT	Union des Assurances du TOGO [Togo Insurance Union]
UB	University of Benin
UN	United Nations
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNCDF	United Nations Capital Development Fund
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNFT	Union Nationale des Femmes du Togo [National Togolese Women's Union]
UNICEF	United Nations Children's Fund
UNIDO	United Nations Industrial Development Organization
UONGTO	Union des ONG du TOGO [Union of Togo NGOs]

URD	Unité de recherche démograhique [population research unit]
USP	Unité de santé périphérique [Outlying health care unit]
UTB	Union Togolaise de Banque [Togolese Banking Union]
VLPA	Village-level participatory approach
VSC	Voluntary surgical contraception
WACEM	West African Cement.
WAEMU	West African Economic and Monetary Union
WHO	World Health Organization
WiLDAF	Women in law and Development in Africa
WOCCU	World Council of Credit Unions

Introduction

On 18 December 1979, the United Nations General Assembly, by its resolution 34/180, adopted the Convention on the Elimination of All Forms of Discrimination against Women, committing the international community to the advancement of women. The Convention, which has frequently been described as an "international bill of rights for women", entered into force on 3 September 1981.

Togo acceded to the Convention two years later, by Law No. 83-15 of 20 June 1983, the instrument of ratification having been received on 26 September 1983. In so doing, the Togolese Republic undertook, under article 18 of the Convention, to submit an initial report on the legislative, judicial, administrative, social and economic measures adopted for the advancement of women in 1984, and periodic reports on progress made in that respect every four years thereafter.

Seventeen years later, Togo had not yet submitted its initial report. While this was a substantial delay, it was the result of factors beyond the control of the competent authorities, who were well aware of their responsibilities in the matter. As evidence of this, we may note the establishment of the National Union of Togolese Women (UNFT) in 1972 as a means of enabling Togolese women to function as full citizens, and, in 1977, the establishment of the General Directorate for the Advancement of Women as an institutional framework for the advancement and protection of women.

Togo has now prepared its initial report and the first four periodic reports for consideration by the Committee on the Elimination of Discrimination against Women (CEDAW).

This report has been prepared by a 13-member technical committee working in collaboration with the Interministerial Commission for the Preparation of Initial and Periodic Reports on Human Rights, which was established by Interministerial Order No. 97 025, issued on 28 February 1997, in accordance with CEDAW guidelines.

The work of preparing this report began with a national workshop held in Kara in July 2000 and six regional workshops held between July and September in that same year. These workshops were organized by the General Directorate for the Advancement of Women/Status of Women Directorate, and were also attended by representatives from the Ministries of Health, the Civil Service, Labour and Employment, National Education and Research, Justice, Economic and Land-Use Planning, and Communications, besides NGOs and various associations concerned with the advancement and protection of women's rights.

Three themes were discussed at these workshops: gender and development, the status of women and advocacy. The participants engaged in an exhaustive analysis of the provisions of the Convention as it applied to the content of the country's legislation, working from a 22-page questionnaire that had been prepared in June 2000 in accordance with CEDAW guidelines, as adapted to conditions in Togo. The objective was to eliminate all gender-discriminatory provisions from Togolese law.

Following the workshops, a technical committee was established to draft the report. The committee organized a data-gathering workshop in December 2000. The period from January to July 2001 was devoted to the actual work of drafting, for

which the committee obtained financial support from UNDP. The committee subdivided itself into four commissions, which explored the content of the Convention article by article.

The results of this work were presented at a pooling and harmonization workshop, and subsequently communicated to the various partners for comment. In November 2001, a national validation workshop was held, with some 40 participants representing Parliament, various Ministries, technical services, local and international NGOs and bilateral and multilateral partners, including outside partners such as the CEA. During the validation process, supplementary information was presented by the participants. In January 2002, the sectoral technical committee held a finalization workshop at which the various comments from the validation workshop were incorporated into the draft report.

The main point to be noted here is that throughout the lengthy process of preparing the report, the participation of all concerned, including the technical services, the NGOs and the bilateral and multilateral partners, was highly effective.

This report, prepared pursuant to article 18 of the Convention, combines in a single document the initial report and the second, third, fourth and fifth periodic reports, which should have been submitted on 26 September 1984, 26 September 1988, 26 September 1992, 26 September 1996 and 26 September 2000 respectively.

This cumulative report outlines the legislative, judicial, administrative, political and other measures adopted in Togo to give effect to the provisions of the Convention. It comprises two parts. Part I is devoted to general information about Togo, while Part II provides information about the country as it relates to the 16 substantive articles of the Convention.

The preparation of this report has been made possible by the financial support provided by UNDP and UNICEF. The Government of Togo is deeply grateful to those two United Nations institutions.

Part I

General information about Togo

1. The geographic setting

Togo is a West African country lying between 6° and 11° north latitude and between 0° and 2° east longitude. Its area is 56 600 square kilometres. It is bounded on the west by Ghana, on the east by the Republic of Benin, on the north by Burkina Faso and on the south by the Atlantic Ocean. The country stretches over a distance of 600 kilometres, south to north, from the Atlantic to Burkina Faso.

1.1. Climate, relief, drainage and vegetation

1.1.1. Climate

Togo possesses two types of climate:

- The Guinean or subequatorial climate, between the 6th and 8th parallels, is characterized by four seasons, including two rainy seasons (March to July and September and October), alternating with two dry seasons (November to March and August and September);

– The tropical or Sudanian climate, between the 8th and 11th parallels, is characterized by a rainy season extending from April to September and a dry season extending from October to March.

Mean temperatures in the range extending between 22° and 32°C are the norm everywhere in the country. Rainfall varies between 850 and 1,800 millimetres of water annually.[1] The southwestern part of the country, the highlands and the central region are the most abundantly watered.

1.1.2. Relief

A mountain range crosses Togo from northeast to southwest, flanked by a plain on either side:

– The Mono Plain east of the Togo Mountains;

– The Oti Plain north of the range.

These mountains are an extension into Togo of the Atakora Range of Benin, which runs off to the southwest, ending in the Akwapim Hills in Ghana. In Togo, the highest peaks are found in the Kloto region in the south, where Mount Agou rises to a height of 986 metres.

1.1.3. Drainage

Togo's drainage system consists of:

– The 467-kilometre-long Oti River in the north, with its tributaries the Koumongou, the Kara and the Mô;

– The 560-kilometre-long Mono River, which runs southward from central Togo; its main tributaries are the Anié, the Amou and the Ogou;

– The Zio and Haho Rivers in the southern part of the country;

– Other rivers and lakes.

1.1.4. Vegetation

Togo's vegetation consists mainly of:

– Mesophilic forests on the southern part of the Togo Mountains;

– Dry forests on the northern part of the mountains;

– Guinean savannas in the Mono Plain;

– Sudanian savannas stretching north of the Togo Mountains;

– Gallery forests bordering the major rivers (including the Mono, the Oti and the Mô).

[1] Meteorological Service. Lomé, 1997.

1.2. Population, ethnic groups, languages and religions

1.2.1. Human presence

Togo has been inhabited since Neolithic times, as is apparent from archaeological finds, particularly in the northern part of the country (around Dapaong). Microlithic artefacts excavated from some sites have been dated to 2600 BC.[2]

1.2.2. Ethnic groups

Contemporary Togo possesses a number of ethnic groups: the general census of 1981 identified 38. These may be assigned on a geographic basis to the following major categories, which vary widely in size:[3]

- The Adja-Tado peoples in the south (the Ewé, the Adja, the Watchi, the Guin and others): 44 per cent;
- The peoples of the Middle Mono region (the Ifè, the Fon, the Mahi, the Anyanga and others): 3 per cent;
- The peoples of the western plateaus (the Akposso, the Akébou and others): 4 per cent;
- The peoples of the northern chiefdoms (the Kotokoli, the Tchamba, the Tchokossi, the Bassar and others): 10 per cent;
- The peoples of the mountains and foothills of the north (the Kabyè, the Nawdéba or Losso, the Lamba and others): 21 per cent;
- The peoples who inhabit the plains and plateaus of the extreme northern part of the country (the Moba, the Gourma, the Konkomba, the Peul and others): 14 per cent.
- Others (the Hausa, the Yoruba, non-Togolese, etc.): 4 per cent.

1.2.3. Languages

Togo's official language is French. National languages are Ewé and Kabyè. All the languages spoken in Togo belong to the Niger-Congo group. They are distributed over two separate geolinguistic areas:

- A southern area where the Kwa languages are spoken;
- A northern area where the Gur or Voltaic languages are spoken.

In addition to these numerically predominant languages, there are a number of what are known as "residual" languages, all of which are spoken in the western part of central Togo. These include Akposso, Akébou, Adélé and other languages. The Kwa languages cover the entire southern part of the country, from the Atlantic littoral to the Atakpamé highlands. This language group includes Adangbé, Agotimè, Awla, Avatimè, Watchi and other languages, and also Anoufo (or Tchokossi), which is spoken in Mango, in northern Togo. The Gur or Voltaic languages are used all over northern Togo, apart from the Kwa enclave represented by Anoufo, as just noted. This language group includes Ntcham (Bassar),

[2] *Histoire des Togolais*, volume 1, UB Press, Lomé, 1997, pages 44 ff.

[3] *Histoire des Togolais*, volume 1.

Akasselèm (Tchamba), Konkomba, Gangan, Gourmentché, Moba, Nawdem (Losso), Kabyè, Lamba and Tem (Kotokoli).

1.2.4. Religion[4]

There are three main families of religions in Togo:

– Animism or traditional religions: 59 per cent;

– Christianity (Catholicism, 22 per cent, Protestantism, 7 per cent);

– Islam, 12 per cent.

1.3. Population and demographic indicators

1.3.1. Population

The population of Togo was 2 719 600 in 1981; it was estimated at 4 269 500 in 1997, with a density of 75 inhabitants per square kilometre.[5] The population is essentially young:[6]

– 48 per cent are under the age of 15;

– 48 per cent are between the ages of 15 and 64;

– 4 per cent are 64 or over;

– 51 per cent are women;

– 49 per cent are men.

Togo's population is unevenly distributed. The coastal or Maritime region, which accounts for only 11 per cent of the country's area, contains over 40 per cent of its population, with a density of over 300 people per square kilometre, while the Central region, which constitutes 23 per cent of the area, contains barely 10 per cent of its population, with a mean density of 30 people per square kilometre. The high density found in the Maritime region is due in large measure to the presence of the capital, Lomé, which, together with the surrounding metropolitan area, had a population which in 1997 was estimated at nearly 900 000 people.[7]

1.3.2. Population growth rate

Togo's population grew at a rate of between 2.4 per cent and 3 per cent annually between 1960 and 1998.[8]

– 1960 – 1970: 2.6 per cent

– 1970 – 1981: 2.9 per cent

– 1981 – 1990: 3 per cent

– 1993 – 1998: 2.4 per cent

---

[4] *Histoire des Togolais*, volume 1.

[5] Togo Population and Health Survey (EDST), 1998.

[6] Ibid.

[7] Ibid.

[8] National Population Policy, October 1998.

1.3.3. Family size and composition

The average family consists of 5.4 persons, varying slightly depending on whether the family lives in a rural or an urban area (the figure is 5.6 persons for rural families, compared to 4.9 persons for urban families). Three out of four families (76 per cent) are headed by a man, while one family in four (24 per cent) is headed by a woman. The proportion of women heads of families is slightly higher is urban areas (29 per cent) than in rural areas (22 per cent).[9]

1.3.4. Birth rates and fertility

Fertility rates by age group are as follows:[10]

- 89 per thousand for women between the ages of 15 and 19;
- 224 per thousand for women between the ages of 20 and 24;
- 251 per thousand for women between the ages of 25 and 29; and
- 37 per thousand for women between the ages of 45 and 49.

The total fertility rate (TFR) for women between the ages of 15 and 49 is estimated at 5.4 children per woman.

Fertility rates are much higher in rural areas than in urban areas. Rural women begin childbearing earlier and end later than urban women. The TFR for women in the 45–49 age group is 6.5 children per woman in rural areas, compared to 3.3 children per woman in urban areas. The city of Lomé has the lowest fertility rate in the country (2.9 children per woman).[11] The crude birth rate is 35 per thousand.

Table 1
Sociodemographic indicators, Togo (1998)

Indicator	*Level*
Neonatal mortality rate	41‰
Post-neonatal mortality rate	39‰
Infant mortality rate	80‰
Child mortality rate	72.3‰
Infant and child mortality rate	146.3‰
Life expectancy at birth (men)	56.5 years
Life expectancy at birth (women)	58.5 years
Life expectancy at birth (men and women)	57.5years
Crude death rate	13‰
Crude birth rate	37‰
Rate of natural increase	2.4%
Total fertility rate (average number of children per woman)	5.4
Maternal mortality rate (per 100,000 live births)	478

Source: Population Planning Directorate, General Directorate for Planning and Development, Lomé, 1999.
Togo Population and Health Survey, 1998.

[9] Togo Population and Health Survey, 1998.
[10] Ibid. 1998.
[11] Ibid. 1998.

Neonatal, infant and infant and child mortality rates are high. There appears to be some correlation with the mother's level of education: the probability of dying before the age of 5 is 159 per thousand for children whose mothers are completely uneducated, and 83 per thousand for children whose mothers have at least a secondary-level education.[12]

The crude death rate (CDR) and maternal mortality rate (MMR) are also high, at 13 and 478 deaths per 100,000 women respectively.

1.3.5. Marriage

The legal age of marriage in Togo is 20 for men and 17 for women. Each partner must consent in person to the marriage.[13] The fact remains that early marriage and forced marriage still exist.

The law recognizes monogamy and polygamy.[14] Polygamy is common in Togo, although it has tended to decline in recent years.

1.4. Socioeconomic development

Togo has an adequate area of land suitable for agriculture, and enough human resources to work the land. The tertiary sector, particularly trade, is among the most dynamic in the subregion. It is transit activities that are most highly developed, thanks to the Autonomous Port of Lomé, which serves the Sahel countries.

1.4.1. Agriculture, livestock production and fisheries
1.4.1.1. Agriculture

Agriculture is the cornerstone of Togo's socioeconomic development. It provides 70 per cent of the country's population with employment, and accounts for nearly 30 per cent of gross domestic product and is estimated to account for over 20 per cent of export earnings.[15]

Subsistence agriculture: Subsistence agriculture occupies 842,124 hectares, i.e.20 per cent of the country's total land area. The main subsistence crops grown in Togo are maize, cassava, yams, millet, beans, acha, sorghum, peanuts and the like. Subsistence crops account for 64 per cent of Togo's gross domestic agricultural product (GDAP).[16]

Cash crops: Cash crops, which are grown for export, include coffee, cocoa, cotton and oil palm. Cash crops other than cotton are grown essentially in the Plateaux region of southern Togo. Cash crops account for 10 per cent of the country's GDAP.[17]

Togo's agriculture remains essentially subsistence agriculture. The country does not have a dynamic policy aimed at developing an agri-food processing industry that could serve both domestic demand and foreign markets. However, efforts at modernization are under way: an agricultural training centre was

[12] Togo Population and Health Survey, 1998.
[13] Personal and Family Code, articles 42, 43 and 44.
[14] Ibid.
[15] General Directorate for ICAT, Lomé, Cacaveli, August 2001.
[16] Crop production development programme 1997–2001, 1996.
[17] Ibid.

established in Tové, in the Plateaux region, as long ago as 1968, and since 1993 two semipublic institutions have also been working to promote the modernization and professionalization of Togolese agriculture:

- The Togo Agricultural Research Institute (ITRA) conducts research aimed at promoting agricultural development, mainly in the areas of crop production, livestock production, fisheries and forestry, and at developing agricultural and food technologies;
- The Technical Advisory and Support Institute (ICAT) promotes professional agriculture through extension work aimed at introducing farmers to techniques developed by ITRA as adapted to their needs and production potential, and also to promote professional economic farm associations (OPEA) with a view to enhancing farmers' performance and enabling them to participate in the management of the various sectors.

In execution of their respective mandates, these two Institutes go into individual villages to assess farmers' needs, using what is known as a village-level participatory approach (VLPA). The effort to propagate awareness of new techniques covers nearly the entire country, and a number of districts already have an agricultural extension agent at their disposal.

1.4.1.2. Livestock production

Cattle, sheep, goats and pigs are kept in all regions of the country, but predominantly in the north. Indigenous production is not adequate to meet demand, and consequently Togo imports live animals, essentially from Burkina Faso and Niger.

Annual per capita meat consumption increased from 7 kilograms in 1975 to 11.9 kilograms in 1995.

Livestock production accounts for between 13 and 16 per cent of Togo's GDAP.[18]

1.4.1.3 Fisheries

Fishing is an age-old activity in Togo. It is still carried on a small scale for the most part. Most fishermen are from the neighbouring countries, mainly Ghana.

As yet there is little industrial fishing, despite the fact that Togo has had a fishing port since 1976. This situation is due in part to the fact that boats and fishing gear are largely obsolete.

Domestic production is not adequate to meet demand. In order to make up the shortfall, Togo imports frozen fish. Fishing accounts for 4 per cent of the country's GDAP.[19]

[18] Crop production development programme 1997–2001, 1996.
[19] Ibid.

1.4.2. Mining, energy, water resources and industry

Beneath the soil of Togo lie mineral resources of many kinds, including in particular iron, gold, chromite, nickel, diamonds, platinum, zinc, marble, limestone and phosphates. Most of these resources are still undeveloped, although limestone is quarried by the West African Cement Company (WACEM), and phosphates are mined by the Togo Phosphate Board (OTP).

The OTP was a great Togolese enterprise during the 1970s and 1980s, contributing heavily to the Government's revenues and boosting GDP. Today, however, the Board is beset by a severe crisis which has had an adverse impact on its production capacity.

Most energy sources (including gasoline, fuel oil and other petroleum products) are imported. Togo also has a number of large-scale public corporations, such as Togo Electricité and the Togo National Water Authority (RNET), but their services do not cover the entire country. The country's annual electricity consumption is 346.87 GWh, of which 301.78 GWh are imported.[20]

The processing sector is largely undeveloped in Togo, consisting mainly of industrial enterprises in the agri-food, textile, chemical, metallurgical and mechanical, and construction materials sectors.

In an effort to invigorate the economy, an industrial free zone was established in 1989. Today it is home to several dozen industrial facilities operating in various sectors. A survey conducted in 1999 showed 62 manufacturing plants, of which 48 were small and mid-sized industries (SMIs).[21]

1.4.3. Financial institutions and insurance
1.4.3.1. Banks

The activities of banks and other financial institutions are regulated by Central Bank of the West African States (BCEAO).

Togo has seven banks:

- Togolese Banking Union (UTB);
- Togolese Development Bank (BTD);
- Ecobank;
- Togolese Bank for Trade and Industry (BTCI);
- International Bank, Togo (BIA-TOGO);
- Inter-African Banking Corporation (SIAB);
- National Investment Bank (BNI).

[20] WAEMU quarterly newsletter No. 00 (January, February, March 1999)/*Semiannual multilateral surveillance status report*, WAEMU, July 1999 (in French).
[21] Ibid..

Table 2
Togolese banks and their correspondents

Bank	*Correspondent in Europe*
Togolese Bank for Trade and Industry (BTCI)	Banque Nationale de Paris (BNP)
Togolese Banking Union (UTB)	Société Générale de France (Paris) Crédit Lyonnais (Paris) City Bank (Paris) Natexis Bank (Paris)
Togolese Development Bank (BTD)	Société Générale de France (Paris) Marathan Bank (Germany)
ECOBANK	City Bank (Paris) Caisse Centrale des Banques Populaires DG Bank City Crédit Commercial de France (Paris)
International Bank, Togo (BIA-Togo)	Belgolaise (Paris)
National Investment Bank (BNI)	Crédit Industriel et Commercial (Paris) Citibank (Frankfurt, New York, Paris)
SIAB	–

Source: Information obtained from the banks, August 2001.

These banks have a total of 42 branches, 21 of which are located in Lomé. None of the banks has its head office in a secondary city. In addition to these banks, there are two credit unions, the Togo Savings Bank and the Mutual Savings and Credit Union.

A vast majority of Togolese women have no access to these institutions. The fact that their resources are not available to women is due in part to:

– The locations of these banks and credit unions;

– The security they require (they do not accept group security);

– The high interest rates they charge; and

– The financial institutions' own lack of long-term resources.

We may note at this point that the financial sector tends to have difficulty recovering public debts.

Besides these institutions, there are intermediate savings-and-loan structures run for the benefit of their members. These are what are known as decentralized financing systems.

1.4.3.2. Decentralized financing systems (DFSs)

DFSs are savings-and-loan societies and cooperatives. These are regulated by Law No. 95-014 of 14 July 1995. Savings-and-loan cooperatives constitute Togo's oldest and largest mechanism for making credit available to women.

These cooperatives were introduced to Togo in 1969 by the World Council of Credit Unions (WOCCU). Every cooperative belongs to and is managed by its members. As of 30 September 1999, the country had a total of 52 of these cooperatives, organized into the Federation of Savings and Loan Cooperatives (FUCEC-Togo). At that time, FUCEC-Togo had a membership of 107 634, of whom 27 715 (25.7 per cent) were women, while 9 086 were corporate entities and 70 833 were men. FUCEC-Togo was managing savings of 11.11 billion CFA francs, and it had 7.72 billion CFA francs in outstanding loans, including 1.1 billion CFA francs' worth of loans to women.[22]

Loans to solidarity groups are essentially short-term (four months). Interest on loans of this kind is 8 per cent quarterly. Farm loans are made for longer terms, depending on the crop for which financing is required, and the borrower repays the loan after the crop is sold. The main form of security for these loans is group solidarity.[23]

Besides FUCEC-Togo, there are various other institutions that are concerned with access to credit for women. These include:

– *Cooperation for International Development Society (SOCODEVI).*

SOCODEVI has been active in Togo for over 10 years. It is based on six savings-and-loan societies (which it established itself) for women's groups exclusively. As of 30 September 1998, these six societies comprised 542 women's groups with a total membership of 6 300. Loans are made available to groups and/or to individual members through the societies.

–*SYNORSEC (North-South Synergy Savings and Loan Association).*

SYNORSEC operates on a mutual solidarity basis within groups. It has a total membership of 2 000, including 1500 women and 500 men, organized into groups. Training is a support measure that is a prerequisite for eligibility for a loan.

In an effort to help disadvantaged social groups overcome the difficulty of obtaining access to credit, a number of NGOs have taken up microfinance activities. These include Catholic Rural Farm Youth (JARC), CPDEs (Credit Unions for the Development of Mutual Socio-Economic Assistance), AVEs (Village Enterprise Associations), GIPATO (Togo Craft Workers Joint Savings and Credit Union), CECA (Craft Workers Savings and Credit Cooperative), Care International, the Institut Rafia (Recherche, appui et formation pour l'initiative d'auto-développement [research, support and training for the self-development initiative]), and others.

However, all these NGOs have only limited, short-term financial resources at their disposal, whereas only substantial, long-term funding could have a significant impact on the socio-economic conditions of Togolese women and their

[22] Women entrepreneurship promotion action plan, December 1999.
[23] Ibid.

families. Furthermore, these NGOs charge very high interest rates, amounting to between 20 and 30 per cent annually, on the loans they make available to women. In the last analysis, women have no access to credit at acceptable interest rates with medium- to long-term repayment schedules.

1.4.3.3. Insurance

Togo has a number of insurance and reinsurance companies and insurance brokerage agencies serving the entire country.

Insurance companies

- Togo Insurance Group (GTA)/ African Insurance Company (C2A)
- Togo Insurance Union (UAT)
- General Insurance Company of Togo (AGT)
- Colina S.A. Assurance (formerly Assurance Générale de France)
- Aigle Vie
- La Prévoyance Vie

Brokers

- SOCAR/SARL: Insurance and Reinsurance Brokerage Corporation
- IGERCO: International Representation and Brokerage Management Company
- Sicar Gras Savoye
- ACA: African Insurance Brokerage and Heritage Management Company
- La Protectrice
- GCA: General Insurance Brokerage Company

Reinsurance

- Inter-African Brokerage and Reinsurance Company (CICA-RE)
- Togo Insurance Group (GTA)/African Insurance Company (C2A)

1.4.4. Transport and telecommunications
1.4.4.1. Transport

Road network: Togo's road network constitutes the bulk of country's transport infrastructure, with over 1,383 kilometres of paved roads, approximately 1,125 kilometres of all-weather dirt roads and 5,000 kilometres of tracks. The network does not cover the entire country uniformly. The number of cars on the roads is constantly increasing, as second-hand vehicles are frequently brought in from Europe.

Railway: Togo's 450 kilometres of narrow-gauge (80 centimetres)[24] railway are a relic of its days as a German colony. The system, which is in a somewhat rundown

[24] *Atlas du Togo, Édition Jeune Afrique* 1981.

condition, is operated by the National Railways of Togo (SNCFT). SNCFT is currently in suspension of payments.

Air transport: Togo has two international airports, Lomé and Niamtougou, which are served by the transnational airline Air Afrique and other international carriers.

Port traffic: Shipping traffic is managed by the Autonomous Port of Lomé, which was established in October 1967 to replace the old wharf, built in 1904.[25] The port is a national public industrial and commercial facility. Legally, it is an independent corporate entity, and it is financially self-sufficient. It is a world-class port with highly developed transit activities serving the Sahel countries, mainly Burkina Faso, Niger and Mali.

1.4.4.2. Telecommunications

Togo possesses a high-performance telecommunications system with two earth stations located at Lomé and Kara.

Conventional telephone service is provided by TOGOTELECOM, which serves the entire country and has more than 200 000 subscribers.

Cellular telephone service is growing rapidly and will shortly be available throughout the country. The market is served by two companies:

- The Togo Cellular Telephone Corporation (TOGOCELL), which is a privately owned State corporation established in 1998. It had more than 30,000 subscribers in 2000;
- La société Télécel, a privately owned firm;
- A third company may be founded shortly.

It is noteworthy that regulations have been adopted to organize the management of this sector.

1.4.5. Tourism and hotel accommodations

The tourist industry is fairly active in Togo. The country boasts a number of tourist attractions, including:

- Two national parks: Kéran, in Kéran and Oti Prefectures, and Fazao-Malfakassa, in Sotouboua Prefecture;
- Wildlife reserves: Abdoulaye (Tchamba), Togodo (Tabligbo), and others;
- Natural curiosities: the geological formation known as the Fosse de Dung near Dapaong, the Alédjo Fault, Kpimé Falls in Kloto Prefecture, Aklowa Falls in Wawa Prefecture, the Temberma *tatas* in Kéran Prefecture.

Togo has a number of international-class two- to five-star hotels, including the Hôtel du 2 Février, the Hôtel Mercure Sarakawa, the Hôtel de la Paix and the Hôtel le Bénin.

[25] *Atlas du Togo*.

1.4.6. Trade

1.4.6.1. Domestic trade

Domestic trade is carried on through both traditional markets and modern establishments. In traditional trade, three types of markets may be distinguished: local markets, serving only a single village or a small number of villages, regional markets, and interregional markets.

Food products and handmade goods move from the rural areas where they are produced to be sold in the large urban centres of Lomé and the main cities of the interior of Togo, including Aného, Kpalimé, Atapkamé, Sokodé, Kara and Dapaong. Most of the traders who carry on this traffic are women.

Modern establishments monopolize virtually all importing and distribution activities. Those establishments fall into four categories:

- Numerous small shops kept by Africans from other countries;
- Togolese-owned firms;
- Establishments owned by persons from the Orient (Syrians, Lebanese, Indians and Pakistanis);
- Commercial establishments of the European type.

Trade in fabrics is largely in the hands of women retailers known as "Nana benzes".

1.4.6.2. Foreign trade

Togo's foreign trade is growing substantially. The value of the country's imports is almost invariably greater than the value of its exports, with the result that there is a chronic balance-of-trade deficit.

Table 3

Trade between Togo and foreign countries during the period 1994–2000

	Net weight (tonnes)		*Value (millions of CFA francs)*			
Year	*Exports*	*Imports*	*Exports FOB*	*Imports CIF*	*Balance of trade*	*Import coverage ratio (%)*
1994	2 383 000.0	602 506.8	90 052.9	123 265.3	- 33 212.4	73.1
1995	2 303 173.1	965 149.5	110 726.5	191 815.4	- 81 088.9	57.7
1996	2 886 160.2	1 031 719.7	122 090.2	206 563.1	- 84 472.9	59.1
1997	2 618 716.4	1 034 093 8	137 959.7	217 971.7	- 80 012.0	63.3
1998	2 623 420.7	1 291 623.0	149 041.5	253 434.6	- 104 393.1	58.8
1999	2 067 059.8	1 280 076.3	146 081.2	210 367.2	- 64 286.0	69.4
2000	2 015 473.5	1 409 913.8	137 007.7	230 493.2	- 93 485.5	59.4

Source: *Foreign trade statistics yearbook*, General Directorate for Statistics, 2000.

Exports grew from a value of 90.1 billion CFA francs for net tonnage of 2,383,000 tonnes in 1994 to 146.1 billion CFA francs for 2,067,100 tonnes in 1999. The current value of exports FOB has grown at a mean annual rate of 8.4 per cent, which is slightly greater than the corresponding rate (7 per cent) for world exports

of goods during the period 1990 to 1997. Despite this growth, the proportion of Togo's imports that is covered by its exports has declined year by year.

For the same period, the current value of imports CIF grew from 123.3 billion CFA francs for 602,500 tonnes to 210.4 billion CFA francs for 1,280,100, representing a mean annual growth rate of 9.3 per cent, 2.5 percentage points higher than the corresponding rate for world imports CIF of physical goods, which was 6.8 per cent for the period 1990-1997. The current value of imports during that period was lowest in 1994, at 90.1 billion CFA francs, while the current value of exports reached a low point in 1995, at 191.8 billion CFA francs.

Togo's main export products are unshelled cashews (32.5 million CFA francs), roasted non-decaffeinated coffee (140 million CFA francs), peppercorns (34.5 CFA francs), wheaten flour (2,366,400,000 CFA francs), flours and semolinas, other roots and tubers (89 million CFA francs), cottonseed (1,374,800,000 CFA francs), shea nuts (622 million CFA francs), unrefined palm oils (71.5 million CFA francs), cottonseed oils (500.5 million CFA francs), raw or roasted cocoa beans (4,940,600,000 CFA francs), sweetened or flavoured mineral water (714.1 million CFA francs), malt beers (613.8 million CFA francs), and other products.

The main products imported CIF are foods, beverages and tobacco, transport equipment and parts, machines and equipment, parachemical industry products, including pharmaceuticals, paper and cardboard items, fabrics and textiles, clothing and accessories, and clinker.

Togo's main trading partners

In 1998, products from Togo were exported to some 75 countries all over the world, in Africa, the Americas, Asia, Europe and Oceania. In that same year, Togo imported products from some 120 countries, also located on all five continents. The table below shows which of those countries were Togo's main trading partners.

Table 4
Togo's main clients and suppliers, 1998

		Total exports			Total imports
Rank	*Client*	(%)	*Rank*	*Supplier*	(%)
1	Taiwan	19.1	1	France	31.5
2	Canada	18.3	2	Côte d'Ivoire	6.3
3	Philippines	6.8	3	Netherlands	5.7
4	South Africa	6.3	4	Germany	5.3
5	Benin	6.0	5	Japan	4.0
6	Indonesia	5.1	6	Spain	3.4
7	Brazil	4.9	7	Italy	3.2
8	France	3.9	8	United Kingdom	3.2
9	Malaysia	3.6	9	Mauritania	2.9
10	Belgium	2.6	10	Ghana	2.9
		76.6			68.4

Source: *Foreign trade statistics yearbook*, General Directorate for Statistics, 1999.

It thus appears that in 1998, 10 countries out of approximately 75 accounted for 76.6 per cent of Togo's exports, while 10 countries out of approximately

120 accounted for 68.4 per cent of its imports. Taiwan and France were Togo's leading customer and supplier respectively in that year.

1.5. Public finances and State indebtedness

Togo's financial situation is characterized by a constantly increasing overall budget deficit. In 1998, total revenues amounted to 140.5 billion CFA francs, representing 15.8 per cent of GDP, down from 16.3 per cent in 1997. Expenditures are growing rapidly: from 17.8 per cent of GDP in 1997, they increased to 20.9 per cent in 1998. During the same period, the ratio of the country's total wage bill to tax revenues deteriorated slightly, from 50.3 per cent in 1997 to 51.2 per cent in 1998. That ratio had begun to move downward in 1994, but a trend in the opposite direction has been observable in recent years, with the result that Togo does not meet the WAEMU community standard, which sets a maximum value of 40 per cent for that indicator.[26]

As of the end of December 1998, Togo's outstanding external debt stood at 813.6 billion CFA francs, for an indebtedness ratio of 91.7 per cent of GDP. As regards the country's internal public debt, a reconciliation plan has been devised and is being applied progressively as tax revenue and proceeds from privatization flow in. The WAEMU Commission considers that all member countries should endeavour to make a more accurate determination of their outstanding internal debt, which in Togo's case was estimated at 204 billion CFA francs in 1997.[27]

Togo's financial difficulties may be summarized as follows:

- Increasingly large budget deficits;
- Inadequate mobilization of public revenues;
- Accumulation of arrears in internal and external payments;
- Inadequate mobilization of external resources;
- Cash flow problems;
- etc.

1.6. Development indicators

Gross domestic product (GDP) at current prices increased from 353 billion in 1993 to just over 800 billion in 1997.[28]

Per capita gross national product (GNP) was US$320 in 1999.[29]

The economic growth rate fell from 8 per cent in 1995 to 4.4 per cent in 1997.[30]

The rate of inflation was 6.5 per cent in 1997.[31]

---

[26] *Semiannual multilateral surveillance status report*, WAEMU, July 1999 (in French).
[27] Togo: economic situation note No. 008, UNDP, October 1997.
[28] *Women and children*, UNICEF 1998.
[29] *The State of the World's Children*, UNICEF 2001, page 15.
[30] *Atlas du Togo*.
[31] Togo Population and Health Survey, 1998.

In 1994, the poverty line was estimated at 82,852 CFA francs per person per year and the extreme poverty line at 51,426 CFA francs per person per year; in 1995-1996, the corresponding figures were 90,000 and 70,000 CFA francs respectively.

In rural areas, where nearly 65 per cent of Togo's inhabitants live, 58 per cent of the people are poor, and 35 per cent of them live below the extreme poverty line.[32] Research has shown that poverty is most prevalent in rural areas, increasing from south to north, and that it affects a larger proportion of women than men.

1.7. Social services

1.7.1. Education and training

Togo has made substantial progress in education since gaining its independence in 1960. The school attendance rate was 72 per cent in 1997, up from 61.2 per cent in 1994 and 35 per cent in 1960. While this is a significant increase, gender-related inequalities have persisted: 79.8 per cent of all boys now attend school, but only 63.4 per cent of all girls do so. There are similar disparities between urban and rural areas. The proportion of rural women with no education remains high at 61 per cent, compared to 28 per cent for women who live in urban areas.

But while some parents are reluctant to send their daughters to school for a variety of complex cultural and socioeconomic reasons, the fact remains that many Togolese girls have completed primary and secondary school. The economic crisis that is currently racking the country has made it considerably more difficult for educated young people to find employment. In 1995, out of a total of 21,000 unemployed university graduates, 10 per cent were young women. Their ranks included midwives, nurses, doctors, engineers and technicians in various fields, teachers, technicians who had been trained at technical education and vocational training centres, and others.

1.7.2. Employment

The State is one of Togo's main sources of paid employment in the modern sector, providing 35 per cent of all jobs. However, this situation is gradually changing, owing to the financial difficulties that have made it impossible to take on new civil servants.

Togo has an underemployment problem and a very high unemployment rate.

Emp oyment has become a particularly serious issue in the course of the past 15 years as a result of the combined action of a number of factors, including in particular:

- Declining economic activity and investment in the modern sector, which have had a severe impact on the unemployment rate;

[32] Summary of the demographic and economic situation (background paper for development of a national population policy, December 1996).

- Structural adjustment measures: restructuring of the public and parapublic sectors, liquidation of assets, privatization and budget cuts have led to layoffs in the parapublic sector and a decline in civil service recruitment;
- Increasing out-migration from rural areas, as young people move to the cities in search of jobs;
- Progressively greater numbers of educated young people entering a shrinking job market;
- The fact that Togo has no consistent employment policy;
- The devaluation of the CFA franc;
- The social and political turmoil during the period 1990-1992, which resulted in the suspension of virtually all international cooperation and assistance programmes.

1.7.3. Communications

The State relinquished its monopoly of the media in 1990. The new media situation is characterized by:

- A renaissance in the field of privately-owned print media, with many new publications appearing;
- The enactment of legislation on freedom of the press and communication;[33]
- The establishment of an Audio-Visual and Communications Regulatory Authority (HAAC).[34]

Today, Togo has 44 radio stations, of which 42 are privately owned, five television networks, four of them privately owned, and 41 newspapers, of which 40 are privately owned. Privately owned newspapers include weeklies, bimonthlies and quarterlies.[35]

Foreign television and radio networks operating in Togo include:

- Canal France International (CFI);
- Radio France International (RFI);
- Africa N° 1, to mention only a few.

2. Political and administrative structure

2.1. Historical background

Togo was a German protectorate from 1884 to 1914, following the signing of a Treaty of Protectorate by Dr. Nachtigal and the chiefs of three small coastal villages: Baguida, Bè and Togo.

Under the terms of the Treaty of Versailles, the administration of German Togoland was placed under a League of Nations mandate, later taken over by the

[33] Law No. 98-004/PR of 11 February 1998 (Press and Communications Code), subsequently amended by Law No. 2000-06 of 23 February 2000.
[34] Organic Law No. 96-10/PR of 21 August 1996 (Establishment of the HAAC).
[35] Audio-Visual and Communication Regulatory Authority, documentation service, August 2001.

United Nations, and entrusted to the United Kingdom and France. Two thirds of the former German Togoland went to France and the remainder to the United Kingdom. This territorial division, which was received with hostility by the people concerned, had a lasting impact on Togo's political life.

On 8 May 1956, as the Gold Coast was about to obtain its independence, a referendum was organized by the UN to determine the future of British Togoland (33,800 square kilometres). As a result of that referendum, British Togoland was attached to the Gold Coast, which on 6 March 1957 became the independent State of Ghana.

On 27 April 1958, following a referendum organized under United Nations auspices, French Togo became autonomous. Two years later, on 27 April 1960, the country obtained its independence and became the Togolese Republic.[36] Since then, its political and administrative organization has undergone various changes, the most recent of which was the proclamation of the Fourth Republic in 1992.

Under the Constitution of the Fourth Republic, which was adopted by referendum on 27 September 1992 and promulgated on 14 October of that year, Togo has a semi-presidential system of government, with a multiparty assembly elected by universal direct suffrage. The Constitution recognizes and enshrines the separation of executive, legislative and judicial powers.

After the first democratic presidential and legislative elections in 1993, at the instance of the Government, the National Assembly adopted a series of organic laws[37] designed to give effect to the separation of powers and the other institutions of the Republic.

To date, the Government has adopted a number of national policies, including in particular:

- National Health Policy (14 October 1996), including reproductive health policies and standards;
- National Pharmaceutical Policy (1997);
- National Population Policy (14 October 1998);
- National Education and Training Sector Policy (23 December 1998);
- National Environment Policy;
- Declaration on a national policy on the advancement of women (currently in the process of adoption).

---

[36] *Atlas du Togo.*

[37] (a) Organic Law No. 97-01/PR, making provision for the organization and functioning of the Constitutional Court.
(b) Organic Law No. 97-04, making provision for the organization and functioning of the Supreme Judicial Council.
(c) Organic Law No. 96-12, making provision for the composition, organization and functioning of the National Human Rights Commission.
(d) Organic Law No. 97-05, making provision for the organization and functioning of the Supreme Court.
(e) Organic Law No. 96-10/PR of 21 August 1996, making provision for the composition of the HAAC.

The declaration on a national policy for the advancement of women was drafted in 1997. Its main lines of emphasis are as follows:

- The needs and interests of women to be taken into account in the planning, programming and evaluation of development actions;
- A gender approach to be incorporated into development programmes and projects;
- Girls and women to be guaranteed access to education, training and information about their rights and duties;
- Technical and financial support for promotion of the income-generating activities programme;
- Access to productive resources or means of production (land, credit, technology, etc.).

Togo is a member of a number of international organizations, including the UN, the OAU, ECOWAS, the Entente Council and others, and has signed the following conventions and treaties on human rights:

- Convention on the Elimination of All Forms of Discrimination against Women (26 September 1983);
- International Convention on the Elimination of All Forms of Racial Discrimination (1 September 1972);
- Convention on the Prevention and Punishment of the Crime of Genocide (24 May 1984);
- International Covenant on Economic, Social and Cultural Rights (24 May 1984);
- International Covenant on Civil and Political Rights (24 May 1984);
- International Convention on the Suppression and Punishment of the Crime of Apartheid (23 June 1984);
- International Convention Against the Taking of Hostages (25 July 1986);
- International Convention Against Apartheid in Sports (23 April 1987);
- Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (18 November 1987);
- Optional Protocol to the International Covenant on Civil and Political Rights (30 June 1988);
- Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others (14 March 1990);
- Convention on the Rights of the Child (1 July 1990).

2.2. Administrative organization

Togo is divided into five administrative regions:

- Maritime region
- Plateaux region
- Central region

– Kara region

– Savanna region

There is a tendency to regard the Municipality of Lomé as an administrative region in its own right.

Each of these regions is subdivided into prefectures. In all, the country comprises 30 prefectures and four sub-prefectures. The administrative seats of prefectures are deemed to be urban municipalities, the rest of the country comprising rural areas, even though some towns are larger and more important than the administrative seats of prefectures in terms of their population and economic activities.

Administrative map of Togo

3. General legal framework for the protection of human rights in Togo

3.1. Judicial human rights protection mechanisms

Togo's judiciary, independent as it is of the executive and legislative powers, safeguards the individual freedoms and fundamental rights of the country's citizens. In the exercise of their duties, judges are subject only to the authority of the law (article 113 of the Constitution).

The structure of the judiciary comprises the trial courts, two Courts of Appeal (Lomé and Kara),[38] and the Supreme Court. The judicial power is represented in the prefectures by the ordinary courts. There are 18 of these throughout the country, including one Category I court, six Category II courts and eleven Category III courts.[39] Not every prefecture has its own court as yet, but more courts are being established.

Every court of first instance has two specialized ordinary jurisdictions attached to it, namely a youth court and a labour court. In practice, unfortunately, these jurisdictions are not yet operational anywhere except at Lomé. In the interior of the country, the regular courts try cases of all kinds.

The Supreme Court is the highest jurisdiction of the State. It comprises two chambers, the Judicial Chamber and the Administrative Chamber. The Judicial Chamber hears appeals from decisions rendered in the last instance by lower courts in civil, commercial and criminal cases. The Administrative Chamber, for its part, hears appeals from decisions rendered in administrative cases and cases arising from local elections. This chamber is not yet operational.

The Constitutional Court rules on the constitutionality of laws and hears cases arising in connection with legislative and presidential elections.

---

[38] The Court of Appeal at Kara is not yet operational.

[39] Ministry of Justice with Responsibility for the Promotion of Democracy and the Rule of Law, 2001:
Categoory I court: Lomé;
Category II courts: Aného, Kpalimé, Atakpamé, Dapaong, Kara and Sokodé;
Category III courts: Amlamé, Badou, Bassar, Kanté, Mango, Niamtougou, Notsé, Sotouboua, Tabligbo, Tsévié and Pagouda.

Despite efforts to decentralize the judiciary, in practice many people have no access to justice owing to such factors as distance, lack of means and ignorance.

3.2. Means of redress

Every person living in Togo, regardless of his or her sex, ethnic origin, religion or nationality, has the right to bring a matter before a Togolese court. The only restrictions have to do with the would-be litigant's legal capacity, the applicable time limits for bringing an action, or the interest of the case. Actions may be criminal, civil, social, commercial, or a combination thereof.

The victim of a human-rights violation may apply to a court for redress on the basis of the Code of Criminal Procedure of 2 March 1983 and the Code of Civil Procedure of 15 March 1982.

The petition for redress may be based on articles 1382 and following of the French Civil Code of 1804, as applicable in Togo.

3.3. Non-judicial mechanisms

Togo has a number of non-judicial mechanisms for the protection and promotion of human rights.

3.3.1. National Human Rights Commission (CNDH)

The National Human Rights Commission was established by Law No. 87-09 of 9 June 1987, and was designated an institution of the Republic under the 1992 Constitution.[40] The Commission is independent and is subject only to the Constitution and the law.

Its mandate is to promote, protect and uphold human rights and to look into cases of violations of those rights that have been reported to it or brought before it.

Every year, a number of cases are brought before the CNDH. Where a case is substantiated and admissible, the CNDH will mediate between the petitioner and the institutions or individuals involved. It may make recommendations or help the victim initiate legal proceedings.[41]

3.3.2. General Directorate for Human Rights

The General Directorate for Human Rights has been established within the Ministry of Justice, with Responsibility for the Promotion of Democracy and the Rule of Law, in order to enforce Government policy in the matter of human rights. It, too, receives a number of petitions every year.

3.3.3. NGOs and associations concerned with the promotion of human rights

Various NGOs, leagues and associations concerned with human rights protection and promotion are active in Togo.

[40] Constitution - Addendum, articles 156, 157 and 158.

[41] In the execution of its human rights protection mandate, the CNDH received 208 petitions in 1988, 183 in 1989 and 107 in 1998.

3.4. The place of international instruments in Togo's system of justice

Under articles 50 and 140 of the Constitution, Conventions that have been duly ratified and promulgated have legal effect and consequently are binding on Togolese courts. The authority of treaties and agreements takes precedence over domestic legislation. Consequently, international human rights instruments that Togo has ratified are recognized as authoritative from the standpoint of the country's judicial system.

For example, all rights recognized in these various international human rights instruments are recognized and protected in Togo, and may in principle be relied on in pleadings before Togolese judicial and administrative bodies. To be sure, no international human rights instrument has ever been adduced in a Togolese court as yet; ignorance of the availability of this source of law, the absence of any clear procedure for seeking redress, suspicion and resignation are factors that may account in part for this situation.

4. Information and publicity

The task of educating Togo's people about the rights recognized in the various human rights instruments began in 1987 and has been pursued more intensively since shortly after 1990. Means to this end have included awareness campaigns and seminars aimed not only at the general public but also, and in particular, at public and administrative authorities with competence in the area of human rights.

In 1999, the Government decided to introduce human rights education in the country's colleges and secondary schools. That same year was proclaimed the Year of Human Rights in Togo.

The task of generating awareness of the Convention on the Elimination of All Forms of Discrimination against Women specifically has been assumed mainly by the General Directorate for the Advancement of Women/Status of Women Directorate in collaboration with human rights NGOs and associations.

In general, despite efforts along these lines, most Togolese, and Togolese women in particular, are very inadequately informed about their various rights. The Convention remains largely unknown, and consequently has had little impact. It may be feasible to translate the relevant international instruments into the various languages of literacy, making them much more accessible. The Convention itself has already been translated into two national languages, Ewé and Kabyè, with the assistance of the United Nations Information Centre.

In Togo, the various national reports on human rights instruments are prepared by an Interministerial Commission made up of senior representatives from the several departments with competence in the areas covered by the international

instruments in question.[42] The Commission may require the assistance of any individual or corporate entity that it may deem useful to it in the execution of its mandate.

The present report was prepared by the Interministerial Commission with the participation of a number of NGOs. It was then validated by a workshop attended by representatives of the Government, human rights associations and NGOs, and Togo's development partners. Factors of relevance for validation purposes were integrated at a workshop organized by the Technical Committee in January 2002.

Part II

Information relating to articles 1 to 16 of the Convention

Article 1. Definition of discrimination

"For the purposes of the present Convention, the term *discrimination against women* shall mean any distinction, exclusion or restriction made on the basis of sex which has the effect or purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field."

Under the Constitution of 14 October 1992, all citizens of the Togolese Republic are equal before the law, with no distinction made on the basis of origin, race, sex, social condition or religion (article 2). Men and women are equal before the law. No one may gain advantage or suffer disadvantage by reason of his or her family background, ethnic or regional origin, economic or social situation, or political, religious, philosophical or other convictions (article 11).

While Togolese law does not consider or expressly define discrimination against women, it is clear that discrimination against women based on sex and marital status is prohibited. The prohibition includes discrimination against women

[42] Reports are prepared by the Interministerial Commission for the Preparation of Initial and Periodic Reports on Human Rights (CIR). The Commission was established by Interministerial Order No. 97-025 of 28 February 1997, and its membership comprises:
- two representatives from the Ministry of Justice and Human Rights;
- one representative from the Ministry for Foreign Affairs and Cooperation;
- one representative from the Ministry of Economic and Land-Use Planning;
- one representative from the Ministry of National Defence;
- one representative from the Ministry of the Interior and Security;
- one representative from the Ministry of National Education and Research;
- one representative from the Ministry of Employment and Civil Service;
- one representative from the Ministry of Social Affairs, Status of Women and Social Protection;
- one representative from the Ministry of Health;
- one representative from the Ministry of Youth, Sports and Culture;
- one representative from the Ministry of Decentralization, Urban Planning and Housing;
- one representative from the Ministry of the Environment and Forest Resources;
- one representative from the Ministry of Communication and Civic Education;
- one representative from the Ministry of Mines, Facilities, Transport, Post and Telecommunications;
- one representative from the National Human Rights Commission.

by any public or private institution or by any individual, and it extends to any violence against women.

The principle of non-discrimination and equality between men and women which is enshrined in the Constitution finds expression is a number of statutes and regulations, including in particular:

- Executive Order No. 16 of 6 May 1975, making provision for educational reform, which makes school attendance compulsory for children of both sexes up to the age of 15;
- The Labour Code of 8 May 1974, which defines a worker as any person of either sex, and which also provides that for equal working conditions, all workers, regardless of their sex, shall receive equal pay (articles 2 and 88);
- Executive Order No. 01 of 4 January 1968, constituting general Civil Service regulations, which draws no distinction between civil servants of both sexes;
- The Social Security Code of 12 November 1973;
- Law No. 91-11 of 23 March 1991, making provision for the civilian and military pension system;
- The Personal and Family Code of 31 January 1980, which enshrines the principle of equality between husband and wife;
- Law No. 98-004/PR of 11 February 1998, constituting the Press and Communication Code;
- Organic Law No. 96-10 of 21 August 1996, making provision for the composition, organization and functioning of the Audio-Visual and Communication Regulatory Authority;
- Law No. 91-04 of 12 April 1991, constituting the Charter for Political Parties.

There are a number of structures, organizations, public and private institutions, and NGOs and associations concerned with human rights that are working for the enforcement of these various statutes and regulations. However, they are not yet being effectively enforced, owing to the fact that most people are unaware of their provisions. Other reasons for this absence of enforcement are that some of the statutes and regulations are unsatisfactory in certain respects (the 1980 Personal and Family Code, for example, contains many provisions that are discriminatory toward women),[43] the fact that there are no follow-up mechanisms, and widespread reticence about certain traditional practices.

Article 2. Obligation to eliminate discrimination

1. At law

Togolese law, including the Personal and Family Code in particular, has taken a number of the Convention's provisions into account. Better yet, ever since Togo's ratification of it in September 1983, the Convention has been an integral part of the country's domestic judicial arsenal, enjoying an authority that is superior to that of the law (article 50 of the Constitution). But while the provisions of the Convention are more authoritative than that of the law, they are not effective in any meaningful

[43] Personal and Family Code, articles 391 and 397.

sense. The harmonization of domestic legislation and the Convention would be a worthwhile endeavour.

Measures aimed at protecting women from violence of all kinds, whether within the family, in the workplace or in any other area of life, are thus based on the Convention. A number of fundamental rights set forth in the Convention and other instruments have also been taken into account in Togo's domestic legislation. With a view to promoting and safeguarding women's fundamental freedoms, the Constitution of the Fourth Republic of 1992 provides that any child born of a Togolese father or mother possesses Togolese nationality (article 32). This marks an advance from the Nationality Code of 1978, which provided that only a child born of a Togolese father possessed Togolese nationality.

As part of the broader effort to eliminate violence against women, Law No. 98-016 of 17 November 1998 prohibits female genital mutilation.[44]

2. *In practice*

The difficulty arises at the practical level: the enforcement of these various statutory provisions is hampered by sociological factors. Togo's citizens have not yet internalized the country's positive law; they continue to lead their daily lives in accordance with the precepts of customary law, largely unaffected by modern legal concepts.

Another source of difficulty is the fact that there are no mechanisms for following up and monitoring the enforcement of the law.

Despite a growing measure of awareness and efforts to correct the situation, women continue to be underrepresented in various fields, including:

- The Government
- The diplomatic service
- Parliament
- Municipal councils
- The Army, the Gendarmerie (rural police) and the Police

The Government and human rights NGOs and associations are attempting, through education and awareness programmes, to induce the people to discard customs that are a source of discrimination against women. For example, they all joined forces to combat female genital mutilation, which was ultimately prohibited by Law No. 98-016 of 17 November 1998, as we have seen. Before the enactment of that law, research showed that one out of every eight Togolese women was excised. Since its enactment, thanks to the law itself and to awareness campaigns

[44] That law is very stringent: it provides that every person who practises the genital mutilation of women shall be liable to a term of imprisonment of not less than two months and not more than five years, a fine of not less than 100,000 francs and not more than 1,000,000 francs, or both. Every witness who fails to report a case of genital mutilation shall be liable to a term of imprisonment of not less than one month and not more than one year, or a fine of not less than 20,000 francs and not more than 500,000 francs.

aimed at target population groups, there has been a perceptible change of mentality: increasingly, the practice of excision is regarded with disapproval.[45]

In a further effort to eliminate all forms of discrimination against women, on 26 June 2001 the Government issued Executive Order No. 2001-045/PMRT, establishing an Interministerial Commission with a mandate to evaluate the Personal and Family Code in terms of its safeguards for women's rights. The Commission has undertaken a country-wide survey of Togo's various population groups, and is expected to submit its proposals for amendments to the Code to the Government shortly.

3. Structures serving the advancement of women

3.1. State structures

3.1.1. Ministry of Social Affairs, Status of Women and Child Protection

The task of implementing Government policy on the advancement of women is the responsibility of this Ministry, working through its various General Directorates and Technical Directorates.

3.1.1.1. General Directorate for the Advancement of Women (DGPF)

The DGPF was established by Executive Order No. 77-162 of 16 August 1977. Its mandate comprises:

- The promotion of all actions aimed at improving the economic, social, legal, cultural and political situation of Togolese women;
- Action to ensure that girls and women enjoy full equality of access to education, vocational training and employment;
- Action to provide rural and urban women, in particular, with guidance and support with a view to enhancing their productivity;
- Research aimed at directing or redirecting efforts undertaken by the Government or NGOs in the area of the status and advancement of women;
- Reviewing legislation and regulations aimed at the protection of women and drafting proposed new legislation and regulations to that end;
- Coordination at all levels of all activities in the area of the protection and advancement of women.

Today, the DGPF includes three technical directorates:

The *Status of Women Directorate* works to protect and promote the legal status of women; it trains women and informs them about their rights and duties and about international conventions on the advancement and protection of women to which Togo is a party.

The *Directorate for Cooperation, Promotion of Women's Economic Activities and Local Community Organization* participates in and determines strategies and programmes for the advancement of women in all development sectors, among other things.

[45] *The prevalence of excision in Togo and socioeconomic factors associated with the practice*, Demographic Research Unit (URD), 1996 (in French).

The *Women and Girls Education and Training Directorate* is responsible for promoting and encouraging school attendance and education among girls and single mothers and promoting literacy among women.

3.1.1.2. General Directorate for Social Development (DGDS)

The DGDS was established by the same Executive Order (No. 77-162 of 16 August 1977). It is mandated to enforce national policy in the area of social development, help disadvantaged social groups to develop life skills, eliminate all forms of illiteracy, prevent and deal with juvenile delinquency, and the like.

3.1.1.3. General Directorate for Child Protection

The mandate of the General Directorate for Child Protection comprises:

- Action to design, develop, coordinate and evaluate all child and family protection activities;
- Enforcement of legislation dealing with social protection for children and families;
- The prevention and treatment of socially deviant behaviour on the part of children and young people;
- Action to combat child abuse and all forms of the exploitation of children;
- Action to ensure the survival, protection and development of children.

It is important to note that these General Directorates are characterized by decentralized structures in the form of Regional and Prefectural Directorates. There are six Regional Directorates and 30 Prefectural Directorates for social affairs, protection of women and child protection distributed throughout the country.

The Ministry of Social Affairs, Status of Women and Child Protection, operating through the DGPF and its decentralized structures, is present in various parts of the country, thanks to financial support from international organizations, including in particular United Nations agencies. However, its efforts have not made so much of an impact as might have been hoped, owing to shortfalls in the areas of financial resources, infrastructure and staff training.

3.1.2. Ministry of National Education and Research and Ministry of Technical Education and Vocational Training

These Ministries offer various incentives (such as lower fees for girl pupils) aimed at encouraging and promoting education and vocational training for girls.

3.1.3. Ministry of Public Health

This Ministry delivers information, education and communication programmes aimed at strengthening the reproductive health rights of women and single mothers. It is in charge of the mother and child health and family planning programme.

3.1.4. Ministry of Agriculture, Livestock Production and Fisheries

This Ministry develops programmes designed to ease the burden of women's domestic work and enable them to engage in productive activities.

3.1.5. Ministry of Justice, with Responsibility for the Promotion of Democracy and the Rule of Law

The judicial year 2000-2001 was marked by the inauguration of new jurisdictions in the interior of the country, with an increase in the number of magistrates. The Government's efforts in this connection have served to facilitate access to the courts, in geographic terms, and thereby to make justice somewhat more accessible to women. The increase in the number of working magistrates also means that litigation is less time-consuming than it formerly was.

3.1.6. National Beijing Follow-up Committee

This Committee was established following the Fourth World Conference on Women by Executive Order No. 0001/98/MPFS, issued on 19 January 1998 by the Minister responsible for the status of women. The Committee is made up of representatives from the Office of the President of the Republic, 14 relevant departments within various Ministries, NGO federations, individual NGOs, women's associations and United Nations agencies, including UNDP, UNICEF, UNFPA and WHO.

The Committee provides support in all areas for the General Directorate for the Advancement of Women (DGPF) in the execution of its broad mandate to enhance the socioeconomic and legal condition of women and girls. Already the Committee and DGPF have developed a National Plan of Action for the period 1999–2004, which sets following priorities:

- Enhancement of the legal position of women and girls;
- Reduction of gender-related inequalities;
- Promotion of income-generating activities;
- Action to upgrade women's educational attainments;
- Promotion of the welfare of women and the family;
- Action to involve women in environmental management;
- Action to involve women in the decision-making process;
- Action to strengthen the institutional capacities of the DGPF;
- Action to encourage and strengthen cooperation with all social partners.

In an effort to encourage local communities to assume responsibility for the advancement of women and to participate actively in action to that end, the Committee's work has been decentralized to local follow-up committees in all 30 prefectures and four sub-prefectures.

The National Committee and the local follow-up committees are operational throughout Togo.

3.2. Private structures

3.2.1. NGOs and associations

Community-level work by Government agencies aimed at enhancing the situation of Togolese people generally and Togolese women in particular is supplemented by the activities of NGOs. In 1996, a total of 165 domestic and

foreign NGOs were operating in Togo, some of them affiliated to FONGTO (Federation of Togo NGOs), UONGTO (Union of Togo NGOs), FORES (Federation of NGOs of the Savanna region) or the Federation of North Togo NGOs, others working independently. Some NGOs specialize in training women paralegals[47] and legal assistants,[48] and one in particular works to enhance the awareness of traditional chiefs with a view to enlisting their support in the task of eliminating barriers to the promotion of women's rights.[49]

The function of a woman paralegal or legal assistant is essentially to promote awareness of the law by providing women with information about the law itself and the fact that legal assistance is available to them. She explains the law and helps women cope with their legal problems.

These NGOs also provide women with:

- Legal assistance and advice (in their family relationships, workplace situations and the like);
- Guidance and support in dealing with the Government (in such matters as procedures for obtaining a widow's pension, resorting to the courts, and so on).

Other NGOs and associations have formed federations and networks as a means of working more effectively for such aims as development and the advancement of women (as in the case of WiLDAF)[50] girls' education (as in the case of FAWE)[51] or accession by women to leadership positions (as in the case of RTLF).[52]

In addition to the work of the Government and these associations, the United Nations and a number of other international organizations are supporting Togo in its efforts on behalf of the advancement of women. Among these organizations are UNDP, UNICEF, UNFPA, the World Bank, WHO, FAO, UNIDO, Plan International, CARE International and others.

Certainly these efforts by Togo and its various partners are already yielding results, but there are still a number of practical obstacles preventing women from attaining to full development. Those obstacles include practices detrimental to a woman's dignity in the event of her husband's death, the fact that women are regarded as ineligible to inherit, difficulty in obtaining access to credit and owning property, early marriage and the like.

[47] Paralegals are trained by the Women, Democracy and Development Study and Action Group/Women's Research, Information and Training Centre (GF2D/CRIFF). As of June 1999, 240 paralegals had been trained and were working in all 30 prefectures in Togo.

[48] Women legal assistants are trained by the Togolese League for Women's Rights (LTDF).

[49] An NGO known as La Colombe specializes in enhancing awareness among traditional chiefs.

[50] Development and the promotion of women's rights are the field of activity of an NGO known variously as Femmes, Droit et Développement en Afrique (FEDAF) or Women in Law and Development in Africa (WiLDAF).

[51] The Forum of African Women Education (FAWE) is an NGO consisting of women ministers of education.

[52] The Togo Network for Women's Leadership (RTLF) is an NGO that seeks to promote the accession of women to leadership positions.

4. Discrimination and justice

To the best of our knowledge, no one has ever been prosecuted for discrimination in Togo, despite the fact that discrimination is a reality.

In an effort to combat discrimination more effectively, Togo has launched a study on the discriminatory effects of its laws. An Interministerial Commission was established for that purpose in 1997, with a mandate to bring the country's domestic law into line with international human rights standards to which Togo is a party.[53]

Article 3. Full development and advancement of women

The full development and advancement of women are a living reality in Togo, both in terms of the country's institutions and in terms of its law.

1. Legal setting

1.1. Constitution

The State recognizes that every human being (man or woman) has a right to the full physical, intellectual, moral and cultural development of his or her person (article 12). Similarly, articles 25 and 26 recognize every individual's right to freedom of thought, conscience, religious conviction, religious practice, and freedom of expression and opinion.

1.2. Personal and Family Code

The Personal and Family Code of 31 January 1980 guarantees:

- Freedom to choose a marriage partner and to consent personally to marriage (article 44);
- The celebration of marriage (articles 75 and following);
- The exercise of parental authority by both spouses (article 238);
- A woman's capacity to inherit when a child or a widow (article 399);
- The legal capacity to act in all areas of civil life (articles 105 and 316);
- The benefit of reciprocity in relations between spouses (articles 99 and following);
- Freedom to choose a matrimonial regime (article 348);
- A woman's right to seek divorce under the same conditions as a man (article 119);
- Protection in the event of termination of the marriage (articles 137 and following).

[53] This Commission was established by Interministerial Order No. 97-04 of 11 July 1997 and is made up of magistrates, human rights specialists, members of the National Assembly, teachers of law and religious leaders. It may require the assistance of any individual or corporate entity that it may deem useful to it in the execution of its mandate. The Commission has assigned itself a far-reaching programme of work, and has even undertaken a review of the Code of Criminal Procedure; its report should be suitable for formulation as draft legislation. The main obstacle to the Commission's work is the fact that the financial resources at its disposal are inadequate.

Under Togolese positive law, then, men and women stand on an equal footing. Women and men have, in principle, equal access to political activity, social services, medical care, education, employment and private property.

In practice, that situation of equality does not always prevail, for reasons already referred to (see the discussion under article 2 of the Convention above) and other reasons that will be seen in due course. One thing is certain: the process of the advancement of women is under way in Togo.

2. *Institutional setting* (see the discussion under article 2 of the Convention above)

Article 4. De facto equality between men and women

Togo has adopted a policy aimed at accelerating de facto equality between men and women. Practical action pursuant to this policy has included the implementation of the national Dakar and Beijing follow-up plan, the establishment of an Interministerial Commission with a mandate to harmonize Togo's domestic legislation with international human rights standards to which Togo is a party, and legislative and administrative measures aimed at the progressive elimination of gender-based inequality.

1. *Administrative and legislative measures*

These measures include:

- The establishment, in 1977, of a General Directorate for the Advancement of Women responsible for promoting and protecting the legal position of women;
- The enactment of legislative measures designed to protect women employees and women civil servants during and after pregnancy by reducing their working hours;[54]
- A stay of execution until delivery for every pregnant woman under sentence of death (article 21 of the Code of Criminal Procedure);
- The prohibition, on penalty of criminal prosecution, of the sexual exploitation of women, and the right of women to undergo, and even to demand, medical examination and treatment of any STD, at the procurer's expense (article 96 of the Code of Criminal Procedure);
- Provision of literacy training and assistance for women's groups and girl porters by the Ministry of Social Affairs, Status of Women and Child Protection and by NGOs working in the field of women's rights, with financial support from Plan International, UNFPA, CARE International and Aide et Action;
- The enactment of Law No. 98-16 of 17 November 1998, prohibiting female genital mutilation;
- Less stringent requirements for awarding grants and scholarships to young women to enable them to attend institutions of higher education;

[54] Article 112 of the Labour Code and article 64 of Executive Order No. 69-113 of 28 May 1969, making provision for the uniform application of the General Civil Service Regulations.

– Sponsorship for girl pupils, especially in rural areas, in the context of national solidarity;

– Sectoral policy declaration by the Ministry of Social Affairs, Status of Women and Child Protection aimed at encouraging single mothers to return to school (policy currently in the process of adoption).

The liberalization of freedom to form associations has led to the establishment of numerous associations that are active in the areas of the advancement and protection of women.

In the area of the advancement of women, there are various associations that train women paralegals and legal assistants, both men and women, and educate women through seminars, workshops and local community meetings. These associations have issued a number of publications aimed at women, including:

– *Le Livre blanc de la femme togolaise;*

– *La prise en charge de la femme victime de violence*;

– The bimonthly newsletter *Femme autrement*;

– A civic education manual entitled *Homme et femme, la vie de la nation, c'est mon affaire*.

In the area of protection for women, these associations maintain reception and support centres where women can go to talk about their problems and obtain advice and legal assistance free of charge.[55]

2. Women and the quota system

Unlike some other countries, Togo has no quota system for its international representation.

Article 5. Sexual roles and stereotypes

1. Organization of work

Traditionally, men are the incarnation of authority. The husband is the head of the family. He exercises his power in the common interest of the couple and their children.[56] In that capacity, it is he who represents the family to the outside world, makes decisions, enjoys certain forms of consideration and has a preferential entitlement to education.

As regards the organization of work in rural areas, tasks requiring physical strength, such as clearing land, tilling the soil and caring for livestock, are regarded as men's work exclusively. While women contribute extensively to farming activities, economic power in production units is held by men. In many cases the man is the head of the farming operation. It is he who decides what crops shall be grown, what proportion of the available land shall be put into food crops for the family's consumption and what proportion shall be put into cash crops for sale.

[55] These centres are known as legal clinics.
[56] Personal and Family Code, article 101.

The woman, for her part, plays the roles of wife and mother, mainly for purposes of reproduction. All domestic and household tasks are her responsibility. Outside the home, she constitutes a substantial fraction of the farm's labour power. She participates essentially in the growing of subsistence crops (yams, cassava, maize, sorghum, millet, peanuts, rice, beans and vegetables of various kinds).

A number of tasks are regarded a specifically women's work. These include transport, the preparation of meals, refuse collection, dishwashing, winnowing, processing, braiding mats, washing clothes and marketing products.

2. Obstacles to the advancement of women

Women, especially in rural areas, do not inherit property in full ownership; they can inherit only the use of property, and even that is precarious and bound up with a woman's marital status. Under customary law, the terms and conditions governing a woman's right to work land for her own use depend entirely on that status:

- A divorced woman or widow who returns to her parents' home may have access only to land belonging to her original lineage;
- A married woman, or a widow who does not return to her parents' home, usually has access to land through her husband or the lineage of one of his kinsmen.

In regions characterized by heavy population pressure, the ownership of good land is commonly regarded as a prerogative reserved for heads of farming operations, who are men in most cases (men account for over 80 per cent of all heads of households).[57]

In general, the beliefs and custom that continue to be predominant over modern law in some areas act as obstacles to the advancement of women. An example is the matter of inheritance: a woman can be a beneficiary of a modern system of inheritance only provided her husband, during his lifetime, expressly renounces the customary form of inheritance.[58]

Other traditional cultural practices and patterns of behaviour that also act as obstacles include:

- Early marriage;
- Female genital mutilation;
- The fact that women do not participate in decision-making;
- The fact that women have difficulty obtaining access to credit and land;
- Ritual bondage involving the placement of girl children in covens of fetishists;
- Certain rites of mourning for widows;
- Dietary prohibitions and taboos;

[57] Agricultural Surveys and Statistics Directorate, August 1997.
[58] Personal and Family Code, article 391.

– Violence against women;

– Unwillingness to accept the spacing of children.

The sway exerted by custom and tradition is very strong, and this is not conducive to abandonment of these practices. An additional factor is the rigidity of people's mentalities: women are still regarded as inferior beings who are subordinate to men, despite the equality prescribed by the law. In some instances the persistence of these practices is the result of ignorance.

3. Participation by parents in children's education

The education of children is the responsibility of their parents first and foremost. Under the Personal and Family Code, "wife and husband are jointly responsible for the moral and material guidance of the family, the upbringing of their children and the task of preparing them for independent life."

The law also states that "husband and wife accept, by the fact of their marriage, an obligation to feed, maintain, raise and educate their children."

The State intervenes only where the parents have not adequately discharged that obligation. In this area, however, there is very little in the way of structures designed to ensure that children are properly cared for.

As a practical matter, these formal provisions are difficult to enforce both in urban and in rural areas. In the latter, the stereotyped division of responsibilities in the matter of the education of children is still strong. Typically, for example, a girl is educated by her grandmother, mother and aunts, while a boy is educated by his grandfather, father and uncles.

Because of their poverty, most women contribute relatively little to their children's education. A woman with income will contribute to a far more significant extent, much to the children's benefit. Regardless of his wife's income, however, the husband is responsible for contributing to the payment of household costs none the less.

An increase in a woman's economic power serves to enhance both parents' ability to discharge their responsibility for their children's education.

4. Equality between boys and girls in school curricula

Curricula at various educational levels, including university, reflect equality between men and women; programmes are the same for both boys and girls.

Despite efforts to promote education for girls, textbooks contain stereotypes illustrating girls in their traditional roles and boys as individuals who have succeeded in life, tomorrow's leaders. We may note at this point, however, that the Ministry of National Education and Research is currently conducting studies with a view to correcting these stereotypes presented in the current generation of textbooks.

The distribution of different types of manual work, both at school and in the home, tends to reflect, to some extent, the traditional roles of men and women in performing various tasks that are part of social life.

5. Domestic violence and sexual aggression

All forms of domestic violence are prohibited under Togolese law. Every person who commits an act of violence is liable to a penalty under the Code of Criminal Procedure. Every victim of domestic violence or sexual aggression may bring her case to the traditional community authority, the system of justice, the police or the Gendarmerie.

As a practical matter, women who are victims of violence tend to be afraid to lodge a complaint, or are unwilling, out of modesty, to reveal details, especially personal details, of their private lives. There are few women who are sufficiently courageous to seek help. For example, criminal investigation statistics indicate that in 1999, there were 246 cases of deliberate violence in Lomé. According to the Criminal Investigation Service, cases of domestic violence account for between 1 and 2 per cent of the total.[59]

A woman who does pluck up the courage to go to the police will usually ask the local constables not to forward the case to the Office of the Public Prosecutor, in accordance with regulations, but simply to put pressure on her husband to make him pay the medical expenditure occasioned by his violence against her. It seems that police regulations do not require any record of complaints of this kind. Consequently, the local constables will sometimes simply send the woman back home.[60]

6. The social function of maternity

Maternity has traditionally been socially significant. A woman who gives birth to a child receives special care and attention from family members. In traditional rural areas, maternity involves the family, the clan, even the entire community.

This social significance associated with childbearing has been retained in urban areas, and, in particular, within Togo's public administration: under the law, women are entitled to paid maternity leave, which may be extended in the event of difficulties following the delivery. Breastfeeding time and leave for reasons of children's health are other benefits enjoyed by women.

Mother and child protection and social assistance services to provide women with care and advice are available in both urban and rural areas.

In addition, given the risks associated with childbearing, the Government, in collaboration with women's associations, intergovernmental organizations and NGOs, is disseminating information about family planning and encouraging the use of family planning methods throughout Togo. Education and training sessions and awareness and information workshops are being organized in this connection.

[59] *Study on domestic violence against women in Togo: the case of Lomé*, WILDAF-TOGO, June 2001 (in French).
[60] Ibid.

7. Polygamy, the bride-price system, repudiation of a wife and female genital mutilation

7.1. Polygamy

Polygamy is recognized and permitted by the law. The exercise of an option with respect to it is part of the marriage ceremony (see the discussion under article 16, item 3 below).

In a situation of polygamy, each wife is entitled to equal treatment. However, equality of treatment is difficult to enforce in practice within individual families. Polygamy gives rise to various economic and social consequences, including jealousy between wives, unequal distribution of household goods, inheritance problems and domestic squabbling, which may have a negative impact on children.

7.2. Nuptial gift system

The nuptial gift is legal and is one of the formal conditions of marriage; that is, it is symbolic only. "The nuptial gift may be in kind, in cash, or both. Under no circumstances may the amount of the nuptial gift exceed the sum of 10,000 CFA francs." The nuptial gift is made to the father and mother of the prospective bride, or, failing them, to her legal guardian. This provision is not always observed: in practice, the value of the nuptial gift tends to be a good deal more than 10,000 CFA francs.

The traditional nuptial gift, the value of which was different in different cultures, placed a severe constraint on both husband and wife: the former considered that he had "acquired" his wife by making a nuptial gift, while the latter bore harsh treatment with resignation, aware as she was of the nuptial gift that her husband had made. Now that the law has stripped the nuptial gift of all but symbolic value, it has ceased to be a burden upon the conjugal relationship. Since it is nothing more than a symbol, it is not reimbursed in the event of divorce.

7.3. Repudiation

Repudiation of a wife is a common phenomenon in traditional communities, where most unions are based only on custom. Cases of divorce or repudiation are brought before the traditional or customary chief, who rules on them in accordance with local belief and custom.

In rural communities, a repudiated woman finds herself empty-handed and marginalized. Her children are taken away from her; in most cases she returns to her original family. In urban areas, where everyone seems to be familiar with modern law, the separation of husband and wife is a matter for the courts (cf. Article 16, item 6 below). It must be admitted that even in urban areas, repudiation still occurs among traditionalist social groups.

7.4. Female genital mutilation

Female genital mutilation is expressly prohibited under Law No 98-016 of 17 November 1998.

With a view to propagating knowledge of that law and putting an end to the practice of female genital mutilation, the Government, in collaboration with

women's associations, intergovernmental organizations and NGOs, organizes awareness and information campaigns throughout the country for women, men, traditional chiefs, religious leaders and others. However, there is still some residual resistance in some rural areas, owing to the fact that this activity is a source of income for practitioners, and also because of conservatism in some circles.

8. Women and the media

Women are underrepresented in the communication media at all levels.

8.1. Representation of women in the media

Very few women hold responsible posts in any of the State-owned media, including television, radio and the national press (Togo-presse). The same applies to privately-owned media: there are hardly any women in decision-making posts.

Out of approximately 40 publications, no more than ten have women directors, and of those ten, only four are published on a regular basis. Out of 42 private radio stations, only one has a woman director.[63]

Table 5
Gender distribution of Ministry of Communication personnel, by categories (1998)

	Agency									
	Cabinet		*TVT*		*Radio Lomé*		*Radio Kara*		*ATOP*	
Category	Men	Women	Men	Women	Men	Women	Men	Women	Men	Women
A1	7	1	15	1	8	0	7	0	5	0
A2	7	2	20	2	30	3	15	0	7	0
B	3	1	19	3	18	1	11	0	9	1
C	1	1	11	2	15	5	11	0	10	1
Permanent employees	8	3	38	12	22	18	37	8	42	38
Total	**26**	**8**	**103**	**20**	**93**	**27**	**81**	**8**	**73**	**40**

Source: Ministry of Communication and Civic Education, 2001.

Table 6
Gender distribution of EDITOGO personnel and distribution of responsibilities (2001)

Post title	*Men*	*Women*	*Total*
Staff member	239	65	304
Director-General	1	0	1
Central Director	4	0	4
Division Chief	4	1	5
Department Chief	11	1	12
Section Chief	34	6	40

Source: EDITOGO senior management, July 2001.

[63] Audio-Visual and Communications Regulatory Authority, Documentation Service, August 2001.

As will be seen from these tables, there are very few women managers. Women are effectively absent from decision-making posts.

8.2. Women's access to the media

Overall, 41 per cent of Togolese women, compared to 49 per cent of Togolese men, have no access to media of any kind. On the other hand, 57% of Togolese women watch television at least once a week, while no more than 8 per cent of Togolese men do so.[64]

Access to the media varies considerably, depending on education, environment and region of residence. A higher proportion of women with secondary-level education or beyond (91 per cent) have access to the media than women with only primary-level education (71 per cent) or no education at all (40 per cent).[65] Moreover, women who live in urban areas have greater access to the media than women who live in rural areas (79 per cent compared to 48 per cent).[66]

Significant progress is being made in the field of communication, thanks to women's associations, who are editing and publishing newsletters aimed at providing women with information and heightening their awareness (there are 10 women who are editors-in-chief of publications).

In addition, the Women's International Network of the World Association of Community Radio Broadcasters (RIF-AMARC-TOGO) provides training for women community radio producers in an effort to meet rural women's needs in that area.

Article 6. Suppression of the exploitation of women

1. Prostitution of women and girls

The prostitution of women and girls is a very real problem in Togo. Factors contributing to the phenomenon include poverty, illiteracy, unemployment, moral depravity, the desire to make money easily, indebtedness following an unsuccessful business venture, the country's economic crisis, which has meant *inter alia* that civil servants and workers are paid irregularly, stagnant markets for agricultural products, and adverse weather conditions that have disrupted agricultural production.

Prostitution is the result of a decision that is sometimes made by women themselves and sometimes by procurers. In Togo, there are three types of prostitution: regular, seasonal and occasional.

1.1. The socioeconomic situation of prostitutes

Prostitutes range in age from 15 to 55. Most of them (94 per cent) have no husbands: 66 per cent are divorced, widowed or separated, and 28 per cent have never been married. The remaining 6 per cent do have husbands.[67] Nearly four fifths of them (79.7 per cent) come from the neighbouring country of Ghana, 10.6 per cent are Nigerian, and 7 per cent are of Togolese nationality.[68] Thirty-one per cent are illiterate, 31 per cent have attended primary school, and 38 per cent

[64] Togo Population and Health Survey, 1998.
[65] Ibid.
[66] Ibid.
[67] Population Research Unit (URD), 1999.
[68] National AIDS Control Programme, April 1992.

have completed secondary school.[69] A majority of them (57 per cent) are from families with very low income.[70]

1.2. Geographic distribution of prostitution

Prostitution is practised both within the country and in border areas.

1.2.1. Within the country

Prostitution is practised in all regions of the country in brothels, prostitution centres and permanent sites.

Table 7
Geographic distribution of prostitutes

	Number of brothels		*Number of prostitution centres*		*Number of prostitutes*	
Region	*1992*	*1996*	*1992*	*1996*	*1996*	*Permanent sites*
City of Lomé	27	35	2	–	256	
Maritime	0	10	1	–	119	Hahotoé
Plateaux	7	19	2	–	25	Anié, Danyi-Konta, Kpalimé
Central	3	14	2	–	62	Sokodé, Aléhéridé, Kpéwa
Kara	1	18	1	–	72	Bassar, Kara-ville, Kanté
Savanna	1	12	1	–	–	Mango, Dapaong, Cinkassé

Source: PNLS/IST, April 1992 and May 1997.

The City of Lomé has the most brothels (35), followed by the Plateaux region (19), the Kara region (18), the Central region (14), the Savanna region (12) and the Maritime region (10). Permanent prostitution sites are also found in all regions of the country.

1.2.2. In border areas

Sex workers also display a preference for border areas. There are two main border crossings: Kodjoviakopé in the west, on the border between Togo and Ghana, and Sanvee Condji to Aného in the east, on the border between Togo and Benin.

Other border areas within Togo include Danyi-Konta, Badou (western border, between Togo and Ghana), Kémérida (eastern border, between Togo and Benin) and Cinkassé (northern border, between Togo and Burkina Faso).

[69] Population Research Unit (URD), 1999.
[70] Ibid.

2. Traffic in women

Prostitution is growing, with increasing numbers of minors engaging in it. For some time now, the phenomenon of pedophilia has been a feature of Togolese society.

Sexual tourism is active as well; no watch is kept on migratory flows. The main migration corridors are the coastal route from Abidjan to Lagos to Lomé, and the central corridor from Niamey to Ouagadougou to Lomé.

3. Attitude of the border police and customs officials

Relations between prostitutes and these various officials are peaceable. Officials may even recognize and protect them on the same basis as other citizens.[71]

4. The view of prostitution in Togolese custom

While prostitution has certainly existed since ancient times, no Togolese custom takes a favourable view of it. That is why the sex trade is more conveniently practised abroad, out of the sight of family and neighbours.

The traditional initiation ceremonies that marked a young man or woman's entry into adult life or marriage required young people, especially young women, to retain their virginity until marriage. Unfortunately, cultural mixing has brought growing moral depravity in its train.

5. Positive law and prostitution

Prostitution was formerly regulated by a colonial order issued in 1922, which is practically forgotten today.[72] Under that order, every woman who habitually and notoriously engaged in prostitution and had no other means of subsistence was deemed to be a prostitute and subject to police surveillance. Every prostitute and the brothel where she worked had to be registered with the police, and every prostitute had an official health record issued by the authorities. It was unlawful to open a brothel without prior authorization.

The Code of Criminal Procedure of 13 August 1980 did not allude to that order, simply prohibiting procuring, soliciting and contributing to the delinquency of a minor under the age of 18 (article 93).

Under that article, the following persons are deemed to be procurers:

- Adult persons who traffic in and engage in the sexual exploitation of women, girls and minors;
- Persons who knowingly live with a person habitually engaging in prostitution and who are unable to show resources commensurate with their style of living;
- Persons who make premises available to persons engaging in prostitution;
- Managers or employees of hotels who habitually tolerate in their establishments the presence of persons engaging in prostitution.

---

[71] *Prostitution and AIDS prevention, a profile of Togo*, PNLS/IST, November 1995 (in French).

[72] Order No. 82 of 28 April 1922 regulating prostitution in Togo. The order was signed by the Commissioner of the Republic for Togo, M. Bonnecarrère.

A person in any of these categories who is convicted of procuring is liable to a prison term of one to five years and a fine of 100,000 to 1,000,000 CFA francs, besides additional penalties involving temporary deprivation of civil and professional rights. Where the case involves exploitation of a minor, the sentence is 10 years' penal servitude (article 92).

A prostitute found guilty of soliciting is liable to a fine of between 2,000 and 30,000 CFA francs; if she reoffends, she may be sentenced to between 10 and 30 days at hard labour. We may note at this point that the laws in these matters are not enforced, as few complaints are brought.

6. Institutional framework of information and education for prostitutes

6.1. Ministry of Social Affairs, Status of Women and Child Protection

The Ministry, in collaboration with women's associations and NGOs, works through its various General Directorates and Technical Directorates, in particular the General Directorate for the Advancement of Women and the Status of Women Directorate, to deliver gender awareness programmes and programmes on action to combat violence against women, including sexual exploitation.

6.2. Ministry of Public Health

As part of its HIV/AIDS control policy, the Government has targeted prostitutes through the national AIDS control programme. In addition, the Family Health Division, with support from NGOs, is conducting a campaign to encourage the use of female condoms.

6.3. Action by NGOs

Women's rights associations and NGOs are concerned with the phenomenon of prostitution. They have various programmes aimed at safeguarding prostitutes' health and protecting them from the violence to which they are frequently subjected. Some of these NGOs have undertaken such noteworthy actions as:

– founding a medical clinic for prostitutes in Lomé;

– founding a legal clinic for women in distress.

Thanks to these various awareness-heightening efforts, virtually all sex workers have heard of AIDS, and 96 per cent of them consider that it can be prevented. When asked about their occupation, 52 per cent of all prostitutes say that they do not consider themselves to be at risk, while 45 per cent consider that they are at risk, and 3 per cent are not aware of their exposure to the risk of contracting the disease.[73] When asked about AIDS prevention, 95 per cent of them mentioned the use of condoms.[74]

7. Obstacles to the eradication of prostitution

There are many obstacles to the eradication of prostitution:

– poverty and illiteracy;

[73] PNLS/IST, Operational research study, May 1997.
[74] Ibid.

– management difficulties in the case of street prostitutes;

– the mobility of prostitutes;

– out-migration from rural areas and the pull exerted by cities;

– uneven distribution of natural, administrative and recreational resources;

– the permeability of the country's borders.

Article 7. Participation by women in political and public life

1. The legal framework for participation by women in political and public life

Togo's successive Constitutions have proclaimed the sexes to be equal at law and in dignity. The present Constitution, which was promulgated on 14 October 1992, expressly formulates the principle of equality and non-discrimination between the sexes in articles 2, 11, 25 and 26.

In Togo, women have had the vote unconditionally since 1958. The electorate consists of all Togolese of both sexes who have not been deprived of their civil and political rights, are registered on the electoral roll, and are not disqualified on any of the grounds stated in the law. No Togolese citizen who meets the conditions prescribed by the law may be denied registration on the electoral roll. Every Togolese citizen may stand as a candidate and be elected to office, subject to conditions relating to age and provided he or she is not disqualified or ineligible on grounds stated in the law.[75]

The right to vote is thus a right which men and women enjoy on an equal footing for all electoral purposes. However, there can be no real equality between men and women unless women can have influence on political life, legislation and public life under conditions of equality with men, and this is not yet the case.

2. Participation by women in practice

Women account for 51 per cent of Togo's population, and should in theory account for the same proportion of voters. However, because of illiteracy and their heavy burden of household tasks, a smaller proportion of women actually exercise their franchise. Other factors are the fact that most women lack identity and courage, and the fact that the recommendations of international conferences, of the CEAFDAW itself, and of other conventions requiring representation by women in political institutions have not been effectively implemented. Togolese women need to be prepared and trained for leadership.

In trade unions, women are strongly militant, but very few of them hold responsible posts. They are underrepresented in the senior levels of central labour bodies. There are several reasons why women are underrepresented in senior trade union posts:

– lack of adequate information;

– lack of preparation for leadership;

– reluctance based on men's prejudices.

[75] Electoral Code, articles 42, 47 and 74.

As a practical matter, despite the law, while women are accepted as electors, a woman does not have an equal chance of being elected. Lack of solidarity among women has been identified as one of the main reasons for this unequal situation.

Women have consistently been at the forefront of political battles, particularly during the period leading up to Togo's independence. However, once the battle is over, they tend to retire, leaving the field to men. Women are underrepresented in the leadership structures of political parties, and political parties seldom nominate them as candidates at elections. It is noteworthy none the less that a cautious beginning has been made at including women in political life: some parties now reserve the post of national or prefectural vice-president for a woman.

It is in women's own interest to assert themselves and play a more active part in public life by taking advantage of their potentially useful qualities of integrity, sense of transparency, loyalty, dedication and impartiality. As a step toward preparing and training women for leadership, they should be encouraged to participate in community associations or develop capacities for dialogue and the management of public affairs.

3. The evolving situation

The grassroots development policy being pursued by the Ministry of Social Affairs has led to the founding of development committees in Togo's villages and city neighbourhoods.[76]

The electoral method used for the establishment of these structures has enabled women to begin to emerge within their offices. Associations and NGOs concerned with promoting women's rights are encouraging them to stand for election to decision-making posts and to aim at occupying strategic positions in their organizations.

Despite the emergence of civil society, and although women have flocked to join women's associations, or have founded new ones, this new situation has done little for women's representation in Togo's political institutions, which has remained symbolic.

Associations and NGOs that are concerned with the promotion and protection of women's rights have devoted much time and effort to the task of preparing citizens for elections by organizing citizenship education programmes. Increasingly, these associations are encouraging women to join political parties in large numbers and to fight to be advantageously positioned in those parties. One such programme, known as the *Women's Citizenship Education Programme* (PECIF) was instituted in 1997-1998 by the Women, Democracy and Development Study and Action Group (GF2D).

These associations also seek to enhance women's awareness of the importance of cultivating leadership among women as the first step on the road to sharing power with men.

[76] These grassroots development committees are known as village development committees (CVDs) in rural areas, while their urban counterparts are known as neighbourhood development committees (CDQs).

Table 8
Women and decision-making (2001)

Decision-making post	Total	*Women*	*Men*	%
Minister	21	2	19	8.69
Member of the National Assembly	79	5	74	6.32
Supreme Judicial Council	9	1	8	12.5
Advisor to the Supreme Court	15	5	10	33.33
President of a Chamber of the Supreme Court	2	1	1	50
Public Prosecutor at the Supreme Court	1	1	0	-
Advocate General at the Supreme Court	1	0	1	-
Constitutional Court	7	0	7	0
Bar	100	12	88	12
President of the Bar	1	1	0	-
Mayor	9	1	8	11.11
Prefect and Deputy Prefect*	34	0	34	0
Canton Chief*	259	1	258	0.38
Village Chief*	5 000	2	4 998	0.04
National Human Rights Commission	17	2	15	11.76
Audio-Visual and Communications Regulatory Authority	7	0	7	0
National Independent Electoral Commission	20	1	19	5

Source: Common Country Assessment data base (United Nations), 2001.

* Ministry of the Interior and Decentralization.

It is apparent that women are clearly underrepresented in decision-making posts, and absent altogether in the case of some institutions.

Article 8. Representation of Togolese women in Togo's international and diplomatic relations

1. Legal and administrative framework

Togo has acceded to the various international instruments proclaiming men and women to be equal before the law, namely:

- The Charter of the United Nations, which affirms the faith of nations in fundamental human rights and in the equal rights of men and women;
- The International Covenant on Civil and Political Rights, under which States Parties undertake to grant their citizens access, on general terms of equality, to public service;
- The Convention on the Elimination of All Forms of Discrimination against Women.

Better yet, in a similar spirit, staff members of the Ministry of Foreign Affairs and Cooperation enjoy special status under Executive Order No. 91-207 of 4 September 1991.

The Constitution of 14 October 1992 incorporates the main international human-rights instruments and guarantees equality before the law and equal employment opportunity for men and women.[77]

Enforcement of this provision, however, may lead to discrimination, as all the posts referred to are in the masculine (article 2 of the above-mentioned Executive Order).

2. Representation of women in the diplomatic corps

The actual situation of women in Togo's diplomatic corps is characterized by marked disparities both in terms of numbers and in terms of the exercise of authority and senior executive functions.

In the Ministry of Foreign Affairs and Cooperation, for example, the number of women senior officials (Assistant Secretary, Secretary, Counsellor, Minister Plenipotentiary, Ambassador), who may legitimately apply for positions of responsibility is still very small at all levels.

Out of a total of 68 senior officers with A1 and A2 rank, no more than 12 (17.6 per cent) are women. In Togo's diplomatic missions, out of a total of 30 senior officers with A1 and A2 rank, no more than two (1/15 of the total number of staff members) are women at the present time.[78]

As regards positions of responsibility and the exercise of authority, out of the Ministry's 17 Divisions, four are headed by women, while not one of its six Directorates is headed by a woman.[79]

It is noteworthy that over a 20-year period (1980 to 2000), the Ministry of Foreign Affairs and Cooperation has had only two women in senior posts.

For 13 operational diplomatic posts, Togo has only one woman who can serve directly as Head of Mission on an acting basis in the absence of the actual incumbent.[80]

Since the country's accession to independence in 1960, only one woman has served as an Ambassador. This was Togo's Permanent Representative to the United Nations in New York between 1980 and 1982.

Equal treatment appears to be a concept that is somewhat elastic in some situations:

- Before a married woman can be assigned to a post in an Embassy, she must obtain her husband's consent (it seems, however, that this is no longer quite such a critical factor in assignment decisions as it formerly was);
- Ordinarily, the family of a diplomat assigned to an overseas post accompanies him or her to the duty station, but the husbands of women diplomats have sometimes been reluctant to acquiesce in this arrangement.

[77] 1992 Constitution, Preamble, articles 12 and 37.
[78] Ministry of Foreign Affairs and Cooperation, August 2001.
[79] Ibid.
[80] Ibid.

At the same time, it is essential to realize that the situation described above is by no means the result of a deliberate, systematic effort to discriminate against women. There are a number of factors at work. By way of example, there were approximately 25 students who had opted for a career in the diplomatic service and to that end underwent ten years of training (1980-1990) at the National School of Administration (ENA), which is Togo's training-ground for budding diplomats; of those 25, regrettably, no more than two were women.

We should note that the proportion of women members of Togolese official delegations attending international meetings and conferences reflects the numbers of senior women officials with the Ministry of Foreign Affairs and Cooperation.

Moreover, it is important not to lose sight of the fact that the field of "foreign affairs" is becoming increasingly diversified as new fields of activity constantly emerge. Diplomacy today comprises economic diplomacy, cultural diplomacy, space diplomacy, environmental diplomacy, science diplomacy, sports diplomacy, the diplomacy of international drugs and organized crime control, and others besides. As a result of this diversification, many Ministries now send their own delegations to foreign countries expressly for the purpose of conducting activities within their respective fields of competence. However, women are underrepresented in these delegations as well, except on such rare occasions as a conference or workshop dealing with women.

There is no clear-cut policy aimed at the advancement of women in the Togolese diplomatic service. However, the Ministry of Foreign Affairs and Cooperation does organize diplomatic training courses designed to provide continuing professional development for its women staff members.

3. Representation in international bodies

In general, there are very few Togolese, men or women, in any international bodies. This low level of representation is due to a number of factors, including:

- Difficulty in obtaining preparatory documents;
- The fact that Ministries usually have no Internet access;
- The preference for English rather than French.

4. Restrictions

Although the principle of equality is recognized in all the country's institutions, in practice there are numerous restrictions, owing to stereotyping. Decision-makers prefer to select a man on the grounds that men are presumed to be more suitable in terms of their capacity to carry out the duties associated with diplomatic and other international posts. In addition, it must be acknowledged that there are very few women who are qualified to apply for these positions of responsibility, owing to a variety of sociological, cultural and economic factors which continue to hamper the full intellectual development of African women.

The way to correct this situation is through education aimed at making women competitive. The Government of Togo has not yet adopted practical measures or programmes expressly designed to increase the numbers of women entrusted with diplomatic duties or functions within United Nations organizations.

Diplomats' wives may not be assigned to posts in the diplomatic service. As a result, a woman who is already employed in the public service will take leave of absence from her work as long as her husband holds his post abroad. She does, however, continue to draw half her salary, and the Embassy where her husband is posted pays her an allowance as well.

Article 9. Nationality of women

The procedure for acquiring Togolese nationality, and the associated conditions, are set forth in the Constitution of 14 October 1992 and the Nationality Code of 7 September 1978.

1. Conditions governing the acquisition of Togolese nationality

– Togolese nationality is determined by:

– birth and residence in Togo;

– descent;

– marriage;

– naturalization.

1.1 Nationality by birth

Togolese nationality is granted to every child born in Togo to a father and mother who were born in Togo and whose usual place of residence is located there. Togolese nationality is also automatic for every person born in Togo who cannot claim any other nationality. In addition, every individual born in Togo to foreign parents may acquire Togolese nationality by declaration upon reaching the age of majority, provided he or she has held Togolese status since the age of 16. To hold Togolese status means to be recognized as such. A person with Togolese status is known as Togolese, behaves like a Togolese, and is acknowledged by the community within which he or she lives to be entitled to claim Togolese nationality and all the rights appertaining thereto.

This option is not available to children born in Togo to diplomatic officers and career consuls of foreign nationality.[81]

1.2. Acquisition of nationality by descent

Under the Nationality Code, every child born to a Togolese father, or to a Togolese mother and a father who had no nationality, or whose nationality was unknown, was of Togolese nationality.[82]

The mother's citizenship was a factor in determining the child's nationality only if the father's nationality was unknown. The spouses were thus not equal before the law in respect of the transmission of nationality to their children. That provision was amended by the 1992 Constitution, which grants the right to Togolese

[81] Nationality Code, articles 1, 2, 8 and 9.
[82] Nationality Code, article 3.

nationality to every child born to a Togolese father or mother.[83] A child's nationality is now determined by his or her descent from either a Togolese mother or a Togolese father.

1.3. Acquisition of nationality by marriage

A foreign woman who marries a Togolese man acquires Togolese nationality upon their marriage. She may, however, declare before the marriage that she declines Togolese nationality, where the law of her country allows her to retain her original nationality. Even where the woman is a minor, she may exercise that option without authorization.[84]

A Togolese woman who marries a foreign man retains her Togolese nationality unless she expressly declares before the marriage that she does not wish to retain it. The declaration may also be made without authorization, even where the woman is a minor. However, it is valid only where the woman acquires her husband's nationality under the law of his country.[85]

A Togolese or foreign woman is free to choose, upon her marriage, between her own nationality and that of her husband. Marriage is of no effect as regards Togolese nationality where the marriage is not celebrated in accordance with one of the forms recognized by the Personal and Family Code.

A foreign woman who marries a Togolese man can prove her acquisition of Togolese nationality by presenting her husband's certificate of nationality and their marriage certificate.[86]

1.4. Acquisition of nationality by naturalization

A person who wishes to become a naturalized Togolese citizen is required to meet a number of conditions: he must be 21 years of age, have had his usual place of residence in Togo for five years, be of sound mind and good character, have expressly renounced his original nationality, and the like. However, these conditions do not apply if he was born in Togo or is married to a Togolese woman.[87] In a sense, then, it is true to say that a Togolese woman married to a foreigner can transmit Togolese nationality to her spouse.

Every naturalized person enjoys all rights appertaining to his status as a citizen as of the date at which he acquired Togolese nationality. However, during a period of five years following the date of issue of the naturalization order, a naturalized foreigner may not occupy any elective office or function for which Togolese citizenship is a qualifying condition.[88]

[83] Constitution of the Fourth Republic, article 32.
[84] Nationality Code, articles 5, 6 and 26.
[85] Nationality Code, article 7.
[86] Nationality Code, article 11.
[87] Nationality Code, article 19, paragraphs 1 and 2.
[88] Nationality Code.

2. Procedure for granting nationality by naturalization

Application for naturalization

Every application for naturalization is subject to an investigation at the instance of the Minister of Justice. If the required conditions are not met, the application is denied, and the applicant is informed of the reasons for the denial. Where the application is in order, the Minister drafts a naturalization order and submits it to the Council of Ministers for consideration.

3. Forfeiture of nationality

Every individual, man or woman, who after having acquired Togolese nationality engages in activities that are detrimental to Togo's interests may be stripped of his or her Togolese nationality by an Executive Order issued by the council of Ministers.[88] Togolese nationality is thus acquired and forfeited through an administrative procedure involving the issue of an Executive Order.

A foreign woman married to a Togolese citizen loses her Togolese nationality if she is separated from her husband as a result of divorce.[89]

4. Certificate of nationality

The Minister of Justice is the only authority competent to issue a certificate of Togolese nationality to a person who applies for such a certificate and fulfils the prescribed conditions.

5. Married women's capacity to travel

Under Togolese law, a Togolese woman is entitled to hold a passport and may obtain one without her husband's consent. If she bears her husband's name, however, she must produce her marriage certificate when applying for a passport.

Minor children were formerly allowed to travel with their names inscribed in their father's or mother's passport. Now, every child, regardless of whether he or she is a minor, must have his or her own passport. This is an administrative measure that is part of the effort to stamp out trafficking in children.

Article 10. Education

The State recognizes that children of both sexes are entitled to education and fosters conditions conducive to that end (article 35 of the Constitution).

Education for all was a very early commitment on the part of the Togolese Republic. As long ago as 1975, the education system was reformed,[90] and school attendance by all children between the ages of 2 and 15 became its primary objective. It is the function of Togolese schools to provide equal opportunity for all,

[89] Nationality Code.

[90] Order No. 16 of 6 May 1975 making provision for the reform of education in Togo; the country's present education system, which is the outcome of that reform, is a blend of the traditional system of education and the country's colonial heritage.

girls and boys alike. Under the statutory instruments mandating the educational reform of 1975, school attendance is in principle compulsory and free for all children between the ages of 2 and 15.

Needless to say, the State provides boys and girls with equal access to knowledge. This applies to enrolment, the subjects taught, and examinations and professional competitions.

1. Organization of the education system

Togo's education system comprises four levels:

- Level I;
- Level II;
- Level III;
- Level IV.

1.1. Level I

This comprises pre-school education and primary education.

1.1.1. Pre-school education

Pre-school education, or kindergarten, is for young children beginning at the age of 2. This level consists of three years, after which the children enter the first year of what is known as the preparatory course (CP1).

Table 9
Numbers of children enrolled in public kindergartens, 1993-1997

	Age 3		*Age 4*		*Age 5*		**Total**	
Year	*Men*	*Women*	*Men*	*Women*	*Men*	*Women*	*Men*	*Women*
1993–1994	695	595	1 989	2 002*	2 607	2 638*	**5 291**	**5 235**
1994–1995	929	1 022*	2 502	2 367	1 718	1 560	**5 149**	**4 949**
1995–1996	910	831	3 028	2 898	1 342	1 345*	**5 280**	**5 074**
1996–1997	982	869	2 934	2 802	1 465	1 437	**5 381**	**5 108**

Source: Ministry of National Education and Research, 1998.
* Girls outnumber boys.

There are more boys than girls at the pre-school level, despite the fact that during the four school years covered in the above table, girls outnumbered boys in some age groups.

1.1.2. Primary education

This is a six-year programme which children attend beginning at the age of 5 or 6 years. Successful completion of primary education entitles a pupil to a Level I certificate (CEPD).

Level I education comprises two types of school: public primary schools and private schools. The latter, in turn, are subdivided into secular private schools, religious schools (Catholic, Protestant and Muslim) and community schools known

as schools of local initiative (EDILs). These community schools are established and run by the communities they serve. The State contributes at a later stage, when the number of pupils and staff and infrastructure needs have grown to the point where the community cannot cope with them unaided.

1.2. Level II

This stage lasts four years, and upon completing it a pupil is awarded a school leaving certificate (BEPC). Depending on his or her interests and abilities, the pupil is then steered into general secondary education, technical education and vocational training, or a trade school.

Togo's Level II educational institutions include public high schools (both secular and religious), private high schools and military high schools.

1.3. Level III

The Level III stage lasts three years, crowned by the first university degree, known as the Baccalaureate. This level of education, like Levels I and II, is offered by both public and private colleges, the latter being subdivided into religious and secular.

1.4. School attendance rates and pass rates

During the 1997-1998 school year, the total number of pupils enrolled in Level I institutions, all categories taken together, was 913,855, of whom 365,542 were girls.[91] The net school attendance rate in that year was 71.98 per cent, indicating that 28.02 of the country's school-age children were not in school.[92] During that same year, the total number of pupils enrolled in Level II institutions, all categories taken together, was 156,007, comprising 108,205 boys and 46,802 girls. The total number of students enrolled in Level III institutions, all categories taken together, was 32,900, including 26,320 boys and 6,580 girls.[93]

The net school attendance rate for girls declines with each successive level: in the 1997–1998 school year, it was between 63 and 69 per cent at Level I, but by Level III had fallen to between 4 and 6 per cent. Examination pass rates also vary by education level and sex of pupil. In general terms, attendance rates and pass rates are higher for boys than for girls at all levels.

Table 10
Net school attendance rates, Levels I, II and III, by sex (1996-1999)

	Level I		*Level II*		*Level III*	
School year	*Boys*	*Girls*	*Boys*	*Girls*	*Boys*	*Girls*
1996–1997	79.76%	63.36%	39.87%	23.93%	19.15%	4.44%
1997–1998	67.9%	67.6%	42.45%	26.47%	19.47%	5.38%
1998–1999	75.3%	69.5%	47.6%	32.04%	22.69%	6.16%

Source: Ministry of National Education and Research, 1999.

[91] National education and training policy, December 1998.
[92] Ibid.
[93] Ibid.

As will be seen from table 10, net attendance rates for both boys and girls have been increasing; however, the challenge of reducing the gap between the sexes remains to be addressed.

Table 11
Pass rates at final examinations for successively higher qualifications, by sex (1998)

	Pass rate		
Examination	*Boys*	*Girls*	*Percentage girls*
CEPD	68.54%	31.46%	54.87%
BEPC	75%	25.00%	58.84%
BAC I	74.64%	25.36%	57.70%
BAC II	79.85%	20.15%	29.43%

Source: Ministry of National Education and Research, 1999.

Pass rates are much lower for girls than for boys. This phenomenon is related in part to the total numbers of girls and boys respectively; on the whole, except in the case of the BAC II examination, a majority (between 54.87 per cent and 58.84 per cent) of girls passed their CEPD, BEPC and BAC I examinations (the BAC I examination, known as the probatory examination, qualifies the student to advance to the so-called terminal year, at the end of which he or she will take the BAC II examination).

Students begin to specialize in scientific or literary subject areas at Level III. It is noteworthy that girls display a strong tendency to prefer the latter to the former.

Table 12
Percentage girls, by Level III subject cluster, 1996-1997

Subject cluster	*Percentage girls*	*Number of girls per 1,000 boys*
First year A4	26.61	363
First year C and D	13.90	161
Second year A4	24.98	333
Second year D	14.64	171
Second year C	9.69	107
Third (terminal) year A4	24.01	316
Terminal year D	11.92	135
Terminal year C	6.58	70

Source: Ministry of National Education and Research, 1998.

In the subject cluster designated A4, there were 363 girls for every 1,000 boys, making 26.61 per cent. In the first-year subject clusters designated C and D, there were only 161 girls for every 1,000 boys, making 13.90 per cent. The corresponding figures for third-year subject clusters were 24.01 per cent in the case of Terminal A4, 11.92 per cent in the case of Terminal D and 6.58 per cent in the case of Terminal C. In brief, there are comparatively few girl students, and even fewer in scientific subjects.

1.5. Level IV

Level IV comprises higher education programmes lasting from three to seven years. Institutions offering Level IV education include the University of Lomé, the *École Normale Supérieure* in Atakpamé, and the great international schools in Lomé: the *Ecole Africaine des Métiers d'Architecture et d'Urbanisme* (EAMAU), the *Centre Régional d'Action Culturelle* (CRAC), the *Centre International de Recherche et d'Etude de Langues* (Village du Bénin), and others.

The University of Lomé offers instruction and training through its various faculties, schools, institutes and centres. While the numbers of women students have been increasing considerably, they are still heavily outnumbered by men students.

Table 13

Numbers of students attending the University of Lomé, by sex, 1980-2000

	Number of students	
Year	*Men*	*Women*
1980-1981	2 765	466
1981-1982	2 940	463
1982-1983	2 767	411
1983-1984	2 668	387
1984-1985	3 132	422
1985-1986	3 797	431
1986-1987	4 780	602
1987-1988	5 712	700
1988-1989	6 204	832
1989-1990	6 240	818
1990-1991	7 323	1 098
1991-1992	8 424	1 170
1992-1993	7 391	1 053
1993-1994	7 718	1 090
1994-1995	9 237	1 447
1995-1996	9 722	1 708
1996-1997	10 682	2 243
1997-1998	11 702	2 401
1998-1999	12 169	2 571
1999-2000	11 522	2 407

Source: Academic Affairs and Course Requirements Directorate (DAAS), University of Lomé, 2000.

Numbers of women students increased from 466 in 1980-1981 to 2,407 in 1999-2000. During that same period, numbers of men students increased by 9,115, from 2,765 to 11,522.

Table 14
Numbers of students enrolled at the University of Lomé by sex and institution, (1990-2000)

Year	*1990–1991*		*1991–1992*		*1992–1993*		*1993–1994*		*1994–1995*		*1995–1996*		*1996–1997*		*1997–1998*		*1998–1999*		*1999–2000*	
Institution	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*
FLESH	486	87	534	83	476	79	575	88	893	144	871	158	806	145	848	175	1 160	207	1 023	237
FDD	129	33	202	48	213	36	185	32	233	31	205	25	146	33	179	53	169	49	164	44
FASEG	231	23	277	23	211	22	334	26	302	24	336	24	308	29	311	22	348	30	413	43
FDS	96	4	100	7	72	3	86	8	95	7	123	7	10	5	120	6	123	22	101	9
ESA	57	8	54	8	48	2	60	3	69	3	71	3	84	1	70	1	47	0	47	1
INSE	22	4	17	2	22	9	33	9	52	6	53	7	11	3	50	11	93	22	105	26
FMMP	37	7	26	4	37	4	53	9	62	9	41	3	49	5	65	8	65	8	67	6
ESSD	21	23	17	27	15	34	6	17	37	51	8	20	8	25	9	19	11	18	2	7
IUT-GESTION	29	7	28	5	22	0	18	5	29	4	17	14	33	7	38	6	41	7	31	11
CFAD																	10	2	–	–
EAM	54	12	87	27	56	27	80	21	118	25	129	27	123	34	111	31	210	60	127	28
ESTBA	36	6	37	2	19	2	22	3	33	3	30	3	30	14	25	6	14	3	25	5
ENSI	68	0	81	0	56	3	59	0	56	0	50	1	51	2	57	1	90*	0	81	1
CIC/CAF MICRO			7	0	0	0	–	–	5	0	8	0	9	14	27	0	29	3	32	0

The above table calls for some comment:

- For all 14 of the University of Lomé's constituent institutions, the percentage of women students enrolled during the period 1990–2000 ranged from 12.67 per cent in 1995–1996 to 15.85 per cent in 1999–2000.
- As we have seen, women tend to go in for non-scientific subjects. In decreasing order, their preferred institutions of higher education are the Faculty of Humanities (FLESH), the Faculty of Law (FDD), the Faculty of Economic and Management Science (FASEG) and the College of Executive Secretarial Training (ESSD).
- As regards science-oriented institutions, some distinctions must be drawn:
  - Admission to the Mixed Faculty of Medicine and Pharmacy is based on the applicant's record after he or she has obtained his or her BAC II. During the period 1990–2000, a total of 63 women students were enrolled in the FMMP, compared to 502 men students.
  - The Faculty of Science (FDS) and the College of Agricultural Science (ESA) do not set any additional conditions for admission. Seventy-eight women students enrolled in the FDS, and 30 in the ESA.
- Admission to professionally oriented scientific institutions is by competitive examination after the student has obtained his or her BAC II. These institutions are the National College of Engineering (ENSI), the College of Bio-Food Technology (ESTBA), the School for Medical Assistants (EAM) and the Information Technology and Computing Centre (CIC/CAFMICRO). The numbers of women students attending these institutions are insignificant: 7 women compared to 117 men in the case of CIC/CAFMICRO, 8 women and 609 men in the case of ENSI, 37 women and 271 men admitted to ESTBA and 292 women and 1095 men attending the EAM.

The explanation for this situation is presumably that few girls go in for scientific subjects (the clusters designated C, D, E and F) at the secondary level.

Table 15

Numbers of students and pass rates at the University of Lomé, by sex, 1990-2000

	Number of students		*Pass rate %*		
Year	*Men*	*Women*	*Men*	*Women*	**Total% passed**
1990-1991	7 323	1 098	53.76	48.22	**53.07**
1991-1992	8 424	1 170	38.97	42.37	**41.01**
1992-1993	7 391	1 053	38.15	37.8	**38.12**
1993-1994	7 718	1 090	49.53	47.75	**49.31**
1994-1995	9 237	1 447	40.62	45.59	**41.26**
1995-1996	9 722	1 708	46.63	45.09	**46.40**
1996-1997	10 682	2 243	42.46	39.58	**41.96**
1997-1998	11 702	2 401	46.24	41.12	**45.38**
1998-1999	12 169	2 571	40.80	37.37	**40.21**
1999-2000	11 522	2 407	–	–	–

Source: Academic Affairs and Course Requirements Directorate (DAAS), University of Lomé, 2000.

Over a 10-year period, the pass rate for women students was between 37.37 per cent and 48.22 per cent, while the corresponding figures for male students were 38.15 per cent and 53.76 per cent.

Table 16
Pass rates for students enrolled at the University of Lomé, by sex and institution, (1990-2000)

Year	*1990-1991*		*1991-1992*		*1992-1993*		*1993-1994*		*1994-1995*		*1995-1996*		*1996-1997*		*1997-1998*		*1998-1999*		*1999-2000*	
Institution	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*	*M*	*F*
FLESH	138	34	136	17	146	25	222	37	251	42	303	61	156	32	187	46	83	10	–	–
FDD	62	13	51	13	92	13	100	14	149	26	120	14	81	17	93	31	101	31	89	26
FASEG	136	11	130	12	78	15	184	10	149	7	287	19	168	19	254	19	288	25	323	35
FDS	35	1	9	0	–	–	27	1	–	–	48	2	6	0	26	1	34	4	38	2
ESA	28	6	24	3	–	–	30	2	–	–	–	–	40	0	33	1	22	0	1	1
INSE	4	0	–	–	–	–	–	–	–	–	4	2	–	–	–	–	–	–	6	1
FMMP	–	–	–	–	–	–	17	2	14	2	–	–	–	–	–	–		–	–	–
ESSD	10	15	5	11	12	26	–	–	29	35	4	13	4	14	4	9	–	–	–	–
IUT-GESTION	17	4	18	2	–	–	–	–	27	3	1	0	17	14	21	14	14	9	–	–
CFAD																	9	1	–	–
EAM	34	9	27	7	31	10	47	10	55	10	51	12	49	15	12	13	162	38	–	–
ESTBA	15	14	25	1	11	2	12	1	15	2	10	1	19	3	13	3	17	3	–	–
ENSI	–	–	18	0	31	3	12	0	–	–	–	–	19	0	33	1	32	0	–	–
CIC/CAF MICRO			–	–	–	–			–	–	0	0	17	4	–	–	–	–	–	–

Source: Academic Affairs and Course Requirements Directorate (DAAS), University of Lomé, 2000.

– Turning to pass rates over that same period, we find that 5,973 men students passed, compared to 1,002 women students. Among women students, pass rates ranged from 10.57 per cent in 1993-1994 to 18.98 per cent in 1992-1993.

It would be desirable to give women a better chance of securing admission to professionally-oriented institutions that subject applicants to a test (CIC, ESTBA, EAM, IUT-GESTION and ENSI) and those that rely on an examination of an applicant's record, such as the FMMP and the Department of Psychology at the National Institute for Studies in Education (INSE). Furthermore, there should be a quota for women applicants, although applicants of both sexes should take the same admission test.

An equally constructive initiative would be to provide women students, especially the younger ones (between the ages of 16 and 25), with grants and accommodation. This would enable them to focus on their studies and avoid financial hardship during their university years.

Lastly, awareness campaigns should be organized in Levels II and III schools in an effort to persuade girls to take an interest in scientific subjects. It is important to counteract the clichés which some teachers misguidedly continue to repeat out of ignorance ("mathematics and science aren't for you, girls...") and which, unfortunately, are swallowed by their male classmates as well. For evidence, we need look no further than the small numbers of girls who go in for scientific subject areas, especially the C cluster.

1.6. Technical education and vocational training

Technical education and vocational training in Togo are the responsibility of the Ministry of Technical Education and Vocational Training and the Ministry for Craft Trades. These two Ministries are concerned with training and professional development for workers, technicians, managers and engineers in the modern sector, and with apprenticeship training and advanced training for master craftsmen in the formal and informal sector. The training in question is delivered through a variety of public and private structures supervised by these Ministries.

The number of pupils taking technical education and vocational training increased from 7,731 in 1994-1995 to 9,076 in 1995-1996, i.e. by 17.40 per cent. Girls accounted for 28.26 per cent of this total (there were 2,565 girl pupils in all), while boys accounted for 71.74 per cent. Of those 2,565 girls, a mere 2.4 per cent (60 girls) enrolled in industrial courses, while 97.60 per cent enrolled in courses designed to teach them commercial skills.[94]

As regards performance, the percentage of pupils who passed rose from 23.57 per cent to 29.58 per cent in the case of the commercial section, while the corresponding figures for the industrial section were 22.32 per cent and 60.22 per cent.[95]

In the craft sector, there were a total of 1,592 apprentices in the dual system and other vocational training centres. Of these, 231 (14.5 per cent) were girls.[96]

[94] 1995–1996 Statistical Yearbook, Studies, Research and Planning Directorate.
[95] Ibid.
[96] Ibid.

In a word, very few women receive appropriate training before undertaking the various activities in which they engage; as a rule, they learn their skills by imitating their neighbours. None the less, the Technical Education and Vocational Training Directorate (DETFP) organizes and delivers two types of training, one of which is expressly designed for young women with no vocational training. This is what is known as the Adaptation to Working Life programme, and it consists in placing girls and women who have dropped out of school and are 35 or older in firms with a view to integrating them into corporate culture. After six months of training with a firm and at the Regional Technical Education and Vocational Training Centre (CRETFP), a young woman is required to establish and manage a micro-business, with the CRETFP providing her with support and guidance. However, the resources at a CRETFP's disposal are very limited. Togo possesses a total of six CRETFPs.

2. Weaknesses of the education sector

2.1. High dropout and failure rates

Education in Togo is characterized by low internal efficiency, with a large percentage of pupils ultimately dropping out or leaving school. Out of an original cohort of 1,000 children, no more than 22 will obtain a Level I certificate (CEPD) without having repeated a year, while 105 will obtain a CEPD after repeating one or more years, so that nearly 13 per cent of the children in that original cohort will ultimately obtain a CEPD.[97] At Levels I and II, the repeater rate is 35 to 45 per cent and the dropout rate 10 to 15 per cent, while at Level III, the repeater rate is 45 to 55 per cent and the dropout rate 15 to 20 per cent.[98]

Table 17

Reasons given for dropping out of school in Togo (1998)

Reason given	*Urban (%)*	*Rural (%)*	**Total (%)**
Became pregnant	3.5	6.4	**4.9**
Married	0.9	0.9	**0.9**
To care for children	1.1	1.5	**1.2**
To help family	1.9	2.6	**2.2**
Unable to pay school fees	14.9	12.7	**13.9**
Needed money	2.1	2.8	**2.4**
Had enough formal qualifications	0.7	1.0	**0.9**
Failure at examinations	15.2	16.5	**15.8**
Did not like school	5.1	7.1	**6.1**
School not accessible	1.1	1.1	**1.1**
Other	11.3	11.8	**11.6**
Do not know/no answer	1.0	0.3	**0.7**

Source: Togo Population and Health Survey, 1998.

Togo's high dropout rates are to be explained by a variety of socioeconomic and other factors.

[97] National education and training policy, 1998.

[98] Ibid.

Those factors apply in urban areas no less than in rural areas. The leading causes are failure at examinations (16 per cent), inadequate financial resources (14 per cent), and early pregnancy or marriage (5 per cent), especially the first two

Table 18
Dropout rates, Level I schools, 1996-2000

School year	*Girls*	*Boys*	**Total**
1997-1998	10.8	8.2	**9.1**
1998-1999	6.8	1.7	**2.3**
1999-2000	9.5	10.0	**10.7**

Source: General Directorate for Educational Planning, 2000.

Between 1996 and 2000, the dropout rate was between 2.3 and 10.7 per cent. Among girls, the rate declined slightly over the period 1997–1999, first dropping from 10.8 per cent to 6.8 per cent, then rebounding to 9.5 per cent. This dip may have been due to positive discrimination in the form of lower school fees for girls and grants from a number of NGOs to the most promising girl pupils.

2.2. Causes of low internal efficiency

The reasons why Togo's education sector is unsatisfactory are many and varied:

- Not enough classrooms and far too many pupils in each (100 to 150 pupils per class);
- Not enough textbooks and teaching materials, with an average of one French textbook for every eight pupils and one mathematics textbook for every 15;[99]
- Lack of laboratories and equipment (one CEG out of 15 has facilities of this kind);[100]
- Not enough teachers, and many teachers who are underqualified (75 per cent of all teachers are not adequately trained);[101]
- No effective orientation facilities or adequate reception structures;
- Unsatisfactory working conditions for both teachers and pupils;

No rational professional development and upgrading plan for teachers.

2.2.1. Inadequate numbers of teachers and many teachers who are underqualified

Not all teachers possess the same educational qualifications. In most cases they are hired at the school where they are to work, with no training.

[99] National education and training policy, 1998.
[100] Ibid.
[101] Ibid.

In the primary sector, no more than 5 to 6 per cent of all teachers have a BAC, compared to 36 or 37 per cent who have a CEPD.[102] In terms of their professional qualifications, for all categories taken together, recent research has shown that in Level I schools, 42.55 per cent of teachers have the necessary qualifications, while the corresponding figure is 54.94 per cent for public Level II schools.[103]

Table 19

Distribution of teachers by academic qualifications, Level I schools, all categories, 1998-1999

Qualification	*Number of teachers*
University degree or equivalent	130
Baccalaureate	1 970
Probatory	1 307
BE or BEPC	14 433
CEPE or CEPD	5 092
No qualifications	149
Other	26
Total	**23 107**

Source: National Education Statistics Yearbook, 1998-1999.

The largest groups of teachers working in Level I schools consisted of those who had only a BEPC and those who had a CEPE or CEPD, accounting for 62.46 per cent and 22 per cent of the total respectively.

Table 20

Distribution of teachers by academic qualifications, Level II schools, all categories, 1998-1999

Qualification	*Number of teachers*
Professional	25
M.A.	204
University degree or equivalent	1 148
Baccalaureate	1 156
Probatory	550
BE or BEPC	712
CEPE or CEPD	84
No qualifications	5
Other	0
Total	**3 884**

Source: National Education Statistics Yearbook, 1998-1999.

Teachers working in Level II schools are more highly qualified: out of a total of 3,884 teachers, 5.25 per had a Master's degree, 29.5 per cent an undergraduate degree, and 29.76 per cent a BAC.

[102] National education and training policy, 1998.
[103] Ibid.

2.2.2. Difficult working conditions

Most schools operate under poor conditions: far too many pupils, unfinished buildings, ramshackle buildings, classes held in an *apatam* [roofed open-walled structure] where problems of cold, heat, wind, rain and darkness are constantly disrupting the learning process. Most of these schools have no water supply and no latrines for either teachers or pupils.

Level IV institutions have similar problems. The University of Lomé suffers from inadequate infrastructure, inadequate student support and guidance services, and inadequate social and research facilities. This situation has resulted in repeater rates of the order of 90 per cent and pass rates of 5 to 10 per cent, depending on the type of institution[104] (faculty, school or institute).

2.3. External efficiency inadequate

Education, for a very large majority of those who have access to it, is no longer a means of individual and collective advancement. The skills acquired in school are not in themselves enough to enable the person concerned to find a job. Most of those who graduate from the system end up looking vainly for work; they constitute the bulk of Togo's job-seekers. This indicates that education is not adapted to the country's socioeconomic situation. It is more theoretical than practical, and that is the problem.

2.4. Unequal access to education

Access to education is not the same for all: there are disparities based on place of residence and sex. In urban areas, a large percentage of both boys and girls attend school. However, the percentage would be even larger in the case of girls were it not for the fact that a good many girls are needed at home to help with household tasks. In rural areas, in contrast, a large proportion of boys and an even larger proportion of girls do not attend school, for several reasons:

- Families' incomes are too low to enable them to pay school fees for their children;
- The nearest school may be anything from three to 18 kilometres away, making attendance an unattractive prospect from the parents' standpoint, especially in the case of their daughters, and from the children's standpoint as well;
- Sending children to school represents an opportunity cost for families, as it means fewer hands available for work in the fields.

2.5. Children who do not attend school

Despite the Government's efforts to provide education for all, 39 per cent of all school-age children do not attend school and are very unlikely ever to do so.[105]

[104] National education and training policy, 1998.
[105] Ibid.

3. Government's efforts in the field of education

The education sector enjoys high priority in terms of Government spending: it has accounted for between roughly 18 per cent and 30 per cent of the country's general budget over the past two decades, compared to 14 per cent in 1975. This preferential choice reflects an authentic determination to make education universally and unconditionally accessible as a means of promoting economic and social development and responding to the imperatives of progress, the flowering of cultural life, and a conviction that education is a right.

The Government's efforts in this connection have been supported by a number of national and international institutions, including:

- The Togolese National Lottery Corporation (LONATO), which runs a sponsorship programme that makes grants available to students and teaching materials to schools;
- The World Bank's PAGED[106] programme, under which educational support personnel are recruited on a contractual basis;
- Aide et Action and Care International, which supply schools with essential facilities (classrooms, reading rooms and the like);
- Local banks, which make interest-free loans available to parents of school children at the beginning of each school year.

In an effort to enhance the quality and accessibility of the education system, the Government has embarked on the implementation of a comprehensive education and training strategy structured around a policy of:

- Supplying schoolbooks for pupils at low cost and supplying educational materials for teachers;
- Enhancing the status of women through education and training for girls;
- Providing initial training and professional development for teachers;
- Providing teacher training and upgrading the support and guidance services available to them;
- Improving pupil reception conditions;
- Allocating educational resources more effectively and making optimal use of them;
- Upgrading the decentralized management capacities of Regional Education Directorates.

The Government is being supported in its efforts by a number of partners, including:

- UNICEF (with its Girls' Education project);

[106] Programme d'appui à la gestion de l'éducation [educational management support programme] (PAGED).

- The World Bank (construction of school infrastructure, classroom rehabilitation, facilities of all kinds, from tables to computer software, upgrading of the quality of education through donations of textbooks, training and professional development for teachers);
- UNPD (construction of school infrastructure, rehabilitation, facilities);
- The United Nations Capital Development Fund (construction of school infrastructure);
- Seventh EDF (construction of school infrastructure, rehabilitation, facilities);
- French Cooperation agency (which has provided assistance for the Government's deconcentration effort with the establishment of Regional Education Directorates, institutional support for school infrastructure, enhancement of pupils' success in school and the establishment of a statistical information system);
- The African Development Fund (construction of school infrastructure);
- The Islamic Development Bank (construction of school infrastructure, rehabilitation, facilities);
- LONATO (sponsorship, scholarships);
- ATBF (scholarships);
- NGOs: Plan International (construction of school infrastructure, facilities);
- Aide et Action (construction of school infrastructure, facilities, education for girls);
- Born Fonden (construction of school infrastructure, sponsorship of pupils), and the like.

4. Percentage of women teachers and women holding decision-making posts

There are women teachers, but they are few in numbers compared to men teachers. In addition, they are less highly qualified than their male colleagues, and very few of them hold positions of authority.

Table 21

Distribution of teachers by academic qualifications and sex, all categories, Level I, 1998-1999

	Number of teachers	
Qualification	*Men*	*Women*
University degree or equivalent	124	6
Baccalaureate	1 831	139
Probatory	1 229	78
BE or BEPC	12 854	1 579
CEPE or CEPD	3 810	1 282
No qualifications	125	24
Other	24	2
Total	**19 997**	**3 110**

Source: National Education Statistics Yearbook, 1998–1999.

Table 22

Distribution of teachers by academic qualifications and sex, all categories, Level II, 1998-1999

	Number of teachers	
Qualification	*Men*	*Women*
Professional Engineer	25	0
M.A.	199	05
University degree or equivalent	1 032	116
Baccalaureate	1 084	72
Probatory	501	49
BE or BEPC	635	77
CEPE or CEPD	36	48
No qualifications	4	1
Other	0	0
Total	**3 516**	**368**

Source: National Education Statistics Yearbook, 1998-1999

Out of a total of 23,107 teachers working in Level I schools in 1999, only 3,110 were women. Women thus accounted for 13.45 per cent of all teachers at that level. Out of 1970 teachers with university degrees, only 139 (7.05 per cent) were women.

In Level II schools, there were 368 women teachers out of 3,884, or 9.47 per cent of the total. Women are also underrepresented in the ranks of school administrators: there are very few women who are principals of primary or secondary schools.

The same situation is observable within the University of Lomé. Only one of the University's 12 faculties, schools and institutes is headed by a woman.[107]

Similarly, there are very few women department heads at the University of Lomé, as may be seen from the table below, which covers the Faculties of Science (FDS) and Humanities (FLESH), which are the largest in terms of numbers of students enrolled.

[107] Academic Affairs and Course Requirements Directorate, 2001. The College of Executive Secretarial Training is the only institution that is headed by a woman. Within UL's central services, only the Human Resources Directorate has a woman Director.

Table 23
Distribution of department heads within the Faculty of Science and the Faculty of Humanities, by sex, 2001

		Head	
Faculty	*Department*	*Man*	*Woman*
FLESH	History	X	
	English	X	
	German	X	
	Linguistics	X	
	Sociology	X	
	Geography	X	
	Anthropology	X	
	Spanish		X
	Philosophy	X	
	Modern languages and literatures	X	
FDS	Mathematics	X	
	Geology	X	
	Physics	X	
	Chemistry	X	
	Zoology		X
	Botany	X	
	Animal physiology	X	
	Plant physiology	X	

Source: DAAS, August 2001.

Only two of the 18 departments within FDS and FLESH are headed by women, i.e. women represent 11.1 per cent of all department heads. One reason why there are so few women in positions of authority may be that women account for only a small fraction of the teaching staff.

Table 24
Data on teachers from various skills inventories maintained by CAMES

Title	*Men*	*Women*	**Total**
Full professor	37	03	**40**
Senior lecturer	47	02	**49**
Lecturer	138	10	**148**

Source: DAAS, August 2001.

Only 15 out of 232 university teaching staff members are women, who thus represent 6.46 per cent of the total. There are three women full professors out of a total of 37, and two women senior lecturers out of a total of 47 (8.10 per cent and 4.25 per cent respectively). This underrepresentation of women is observable in the University's central administration as well: only two of approximately 12 Directors are women.[108]

[108] Academic Affairs and Course Requirements Directorate, 2001. The College of Executive Secretarial Training is the only institution that is headed by a woman. Within UL's central services, only the Human Resources Directorate has a woman Director.

5. Sexist stereotyping in the education system

Togolese schools are mixed. The State recognizes private schools, both religious and secular (article 30 of the Constitution). In 1999, for example, out of a total of 4,701 schools, 522 were Catholic, 170 Protestant, three Islamic, 609 secular private schools and 3,397 public schools.[109]

All schools, whether public or private, religious or secular, are open to all children of both sexes, and boys and girls are subject to the same admission formalities. At every education level and in every grade, programmes and course content are the same for pupils of both sexes.

Girls and boys are admitted on a footing of equality to institutions of primary, secondary and post-secondary education.

In the field of technical and vocational education, boys and girls are admitted on a competitive basis, taking the same examinations. At all levels, scientific and technical subject areas are open to applicants of both sexes, with the exception of the School for Midwives, which is open to female applicants only.

Schools in Togo do not apply a quota system. However, in order to promote school attendance by girls, measures have been taken to reduce fees for girl pupils and make it easier for women students to obtain scholarships. These measures, unfortunately, are applied only by public schools. Private schools charge the same fees for boys and girls.

Table 25
Fees charged by public schools in Togo, Levels I and II

Region	*Boys*	*Girls*
	Level I – CFA francs	
Lomé and Gulf	2 500	1 800
Maritime	1 400	1 000
Plateaux	1 400	900
Central	1 100	800
Kara	1 100	800
Savanna	1 100	800
	Level II – CFA francs	
Lomé and Gulf	4 000	3 000
Maritime	3 600	2 800
Plateaux	3 600	2 800
Central	3 600	2 500
Kara	3 600	2 500
Savanna	3 000	2 000

Source: Interministerial Order No. 058/MENR/MEFP of 3 November 2000.

[109] National Education Statistics Yearbook, 1999.

Table 26
Fees charged by public school in Togo, Level III

Region	*Boys*	*Girls*
	Level III – CFA francs	
Lomé and Gulf	8 000	5 500
Maritime	7 000	4 500
Plateaux	7 000	4 500
Central	6 000	4 000
Kara	6 000	4 000
Savanna	5 000	3 500

Source: Interministerial Order No. 058/MENR/MEFP of 3 November 2000.

As the above table shows, fees are not uniform in all regions of the country, and in addition, there is a difference depending on the sex of the pupil concerned. In Level I schools, the fees charged for a boy may be from 300 to 700 CFA francs more than those charged for a girl; the corresponding figures for Level II schools are from 1,000 to 1,500 CFA francs, and for Level III schools, from 1,500 to 2,500 CFA francs.

Until 2001, the tuition fees charged by the University of Lomé were 4,500 CFA francs for all students, male or female. That sum, which was less than the fees charged for attending Level III schools, reflected a political concern to make higher education accessible to all. Beginning with the 2001–2002 academic year, the cost of tuition at the University has been 25,000 CFA francs for students of both sexes.

5.1. Stereotyping in textbooks

Since the 1975 reform, a series of revisions have resulted in the elimination of most sexist stereotypes and the different roles associated with them. This is apparent not only from the textbooks used in schools but from the very lesson titles. For example, in "My second reading book", a reader used in CP2, the second year of primary school, we find:

Lesson 1: "Abalo [a boy's name] and Afi [a girl's name] go to school."

Lesson 2: " This is Abalo and Afi's school."

In a reader used in CE2 (the fourth year of primary school), we find:

Lesson 2: "Anani [boy] is reading - Rita [girl] is reading."

Lesson 3: "Irène is at school and she is reading."

Lesson 6: "At school: (an illustration at the top of the page shows a girl colouring)."

However, stereotypes have not been eradicated entirely. In an effort to complete the task of eliminating them, Ministry of National Education authorities have been redesigning textbooks used in schools. The new textbooks have been written and printed, and will probably be introduced in the school system beginning in the 2001–2002 school year.

5.2. Education for single mothers and children with disabilities

In 1984, the Ministry of Education issued circular No. 8478/MEN-RS, prohibiting pupils from attending school while pregnant. This is not a harsh measure, and one that does not appear to be applicable to secular private schools, since pregnant pupils are sometimes to be seen at those institutions.

However, while there is nothing to prevent young single mothers from continuing with their education, the fact remains that the public school system does not provide them with any material or moral assistance (in the form of child care, nursing rooms, educational guidance and the like).

Children with disabilities can exercise their right to education by enrolling in special schools. In the city of Lomé, the list of these schools includes the ENVOL school for intellectually challenged children, the EPHATA school for deaf-mutes and a school for the blind. It must be acknowledged that very few children with disabilities have access to these schools.

6. Health education

Health and family life education is an integral part of course content in Levels I, II and III schools, public and private alike.

Women receive health education at mother and child health and protection centres, which dispense information about maternal health and family planning supplied by the Ministry of Public Health and other associations with financial support from UNFPA. The media also play an educational role in the area of health and family planning. The associations referred to above support the Government's efforts in that area through workshops and forums as well.

7. Literacy in Togo

Prior to independence, literacy training was provided by missionaries. Its object was to enable the faithful to read, understand and praise the Lord in their own languages. Following independence, literacy training was directed at the population in general and became known as "mass literacy training". This type of literacy training, dealing with general themes and aimed at the general public, is termed traditional literacy training, and it seeks only to confer the ability to read, write and do simple arithmetic.

In 1970, a different approach to literacy was adopted. Under the new policy, literacy training focused on the learner in what is known as functional literacy. Functional literacy deals with specific themes, and is aimed at particular groups rather than at the general public. This type of literacy training is designed to enable a learner to make progress in his or her occupational activities as well as mastering the arts of reading, writing and arithmetic.

Adult education comes within the purview of the Literacy Directorate, an arm of the Ministry of Social Affairs, Status of Women and Child Protection. The Directorate's mandate is to:

- apply the Government's literacy and post-literacy policy throughout the country;

- coordinate the work of various organizations, institutions and services, public and private, that are concerned with literacy;
- develop and plan literacy and post-literacy programmes;
- contribute to the development, production and distribution of teaching materials.

The general census of 1981 found that the illiteracy rate for Togolese over the age of 12 was 63.6 per cent, and that illiteracy was particularly widespread among women, with three women out of four being unable to read.[110] Illiteracy rates for women are still very high, at 60.5 per cent in rural areas and 27.6 per cent[111] in urban areas, despite the efforts of all concerned. Beginning in 1984, the DGPF has worked with the Literacy Directorate, with the support of the Technical Education and Vocational Training Directorate, various development partners and NGOs, to develop functional literacy programmes. As of 1999, Togo had 2,500 literacy centres and 700 trained women facilitators, and approximately 28,100 women (admittedly a mere 3 per cent of the female labour force) had been taught to read and write.[112]

Many of these literacy centres have not attained their objectives, as Togolese women are typically very busy with their daily tasks, which keep them fully occupied, with the result that they cannot always find the time to attend courses that are organized for their benefit. Furthermore, it appears that the languages of instruction used in literacy courses have not invariably met with the approval of the women, who consider that a working knowledge of French would be more useful to them in terms of their practical and psychological requirements, French being regarded as the language of social advancement. At other centres, in contrast, the learners prefer to become literate in their local languages.

It is important to note that these grassroots educational structures are unevenly distributed throughout the country. In many instances, moreover, literacy action has not been integrated with economic development programmes designed expressly for women.

Accordingly, the way forward is clearly to include literacy training as an integral component of efforts to promote women's economic activities, having regard to sociocultural constraints and the distinctive characteristics of individual districts.

Article 11. Employment

1. Equal access to employment

The State recognizes every citizen's right to work and endeavours to foster conditions in which that right can effectively be exercised. The State guarantees

[110] General population and housing census, DGHP, 1981.
[111] Togo Population and Health Survey, 1998.
[112] Women entrepreneurship promotion action plan, December 1999.

equal employment opportunities for every citizen, and fair and equitable remuneration for every worker.[113]

Men and women are appointed to Civil Service posts or to wage-earning employment under the same conditions. No person may be appointed to a Civil Service post who is not a Togolese national in full possession of his or her civil rights, of good character, not less than 18 nor more than 35 years of age as of the date of his or her appointment, of such physical capacity as to be able to perform the duties associated with the post, and certified either free of tuberculosis, cancer, leprosy and nervous disorders, or definitively cured.[114]

A worker is defined as every person, regardless of sex or nationality, who has placed his or her skills and abilities at the disposal of another individual or corporate entity, public or private, in return for remuneration.[115]

1.1. Hiring practices

For Civil Service recruiting purposes, the rule is open competition. Persons of both sexes may apply, and all applicants take the same examinations, which are set in accordance with the regulations applicable to the various professional categories,[116] subject to provisions relating to intellectual ability and age limitations. There have been no Civil Service recruitment competitions since 1990, although sectoral competitions have been held from time to time, mainly for the purpose of recruiting personnel in the fields of health care and education.

In the private sector, hiring is a matter of a contract freely concluded between worker and employer, with the company's management determining hiring needs and selection standards.[117]

In a word, equal access to employment is guaranteed by law. It is conceivable, however, there may be subtle gender-based forms of discrimination that affect hiring. The law makes no provision for redress for persons (men or women) who have been subjected to discriminatory hiring practices.

Despite the fact that equality is guaranteed by law, women are underrepresented in terms of numbers of employees in the formal sector.

[113] Constitution, article 37.
[114] Civil Service Regulations, article 23.
[115] Labour Code, article 2.
[116] Executive Order No. 69-113 of 28 May 1969, making provision for the uniform application of the General Service Regulations, article 13.
[117] Labour Code, article 25.

1.2. Women in the labour force

Table 27
Labour force distribution by economic sector, place of residence and sex

Sector	*Men%*	*Women%*
Primary	69.1	66.7
Secondary	11.7	6.7
Tertiary	19.2	26.6
Total	**100**	**100**

Source: 1981 Census, Statistics Directorate.

Men are slightly ahead in the primary sector (69.1 per cent, compared to 66.7 per cent for women) and clearly ahead in the secondary sector (11.7 per cent compared to 6.7 per cent). Women, in contrast, dominate the tertiary sector, with 26 per cent as against 19.2 per cent.

2. Working conditions

Working conditions are the same for men and women in both the public and private sectors. The daily workload is the same (eight hours per day). Women and men are equally entitled to 30 days of paid annual leave, paid sick leave, leave of absence and the like.

Over and above these formal provisions, the law grants women a number of special working conditions: they may not work at night, and they may not work in mines. In addition, women in general, and pregnant women in particular, are prohibited from doing certain kinds of work that would be injurious to their health.[118] There are various legal provisions designed for the benefit of pregnant women: in the media sector, for example, pregnant women reporters may not be given field assignments.

3. Sexual harassment in the workplace

The Labour Code does not refer explicitly to sexual harassment in the workplace. The phenomenon does occur, however, and has become more frequent in recent years. It is particularly prevalent in situations where a woman is applying for a job. Out of fear and/or embarrassment, victims seldom lodge a complaint, much less talk about their experiences, and consequently men who subject women to sexual harassment are usually not called to account. Some NGOs have conducted awareness campaigns aimed at directing the Government's attention to the need for legislation expressly prohibiting sexual harassment in general and sexual harassment in the workplace in particular.[119] A study conducted in June 2001 by an NGO known as La Colombe revealed that 38 per cent of 162 women interviewed said that they had been subjected to sexual harassment. Of these, 51.84 per cent

[118] Labour Code, article 111. This article provides that the Minister of Labour shall issue Executive Orders identifying such prohibited kinds of work; regrettably, no such Orders have as yet been issued.

[119] WiLDAF is one such NGO that combats sexual harassment in the workplace.

said that the harassment had occurred at work, 51.84 per cent that it had occurred at home, and 20.9 per cent that it had occurred elsewhere.

4. Equal remuneration and equal taxation

The principle of equal remuneration is enshrined in the law: for equal working conditions, equal occupational skills and equal work, pay shall be equal for all workers regardless of sex (Labour Code, article 88).

This equality is not applied in the case of a married woman, owing to the fact that her wages are taxed at the same rate regardless of whether she has children or not (children are deemed to be the husband's dependants). She may claim the offspring in part, however.

5. Right to free choice of profession and employment

The State recognizes every citizen's right to work (article 37 of the Constitution) and consequently his or her freedom to choose a profession and employment. Women and men alike are free to choose their profession or employment.

A married woman may engage in an occupation that is independent of her husband's. However, the husband may object in the family's interest (article 109 of the Personal and Family Code). This provision is beneficial in that it encourages husband and wife to undertake a joint commitment to their family's interest, yet it does place a limitation on a woman's freedom to choose an occupation.

Apart from a husband's legally founded objection to his wife's work in the family's interest, there are some men who do not want their wives to work on no grounds but their own personal convenience.

At law, women are entitled to stability of employment and remuneration on an equal footing with men.

Generally speaking, all types of employment are open to persons of both sexes, with the exception of midwifery, which is a profession reserved for women exclusively. We should also note that in practice some trades, such as carpentry, masonry and the like, are all but exclusively male. The same applies to such public services as the army, the police, the Gendarmerie and firefighters. This situation has not been brought about by the action of the law, it has resulted from the practice of society. In recent years, however, a few women have begun to enter these services, especially the police and the army. The new Armed Forces School of Health Care in Lomé recruits students of both sexes.

6. Right to occupational promotion

The right to promotion is guaranteed both in the Civil Service and in the private sector, regardless of sex, religion, ethnic origin or social status.

In the Civil Service, there are two types of promotion: pay progression and hierarchical promotion. Pay progression is automatic and results from length of service: the longer the employee's service, the higher his or her pay. Hierarchical

promotion is the result of an act of selection based on the employee's merit.[120] Owing to the inherently subjective nature of hierarchical promotion, the principle of equality may or may not be observed.

In the private sector, employees are given a pay increase after every 18 months of service. The size of every employee's increase depends on his or her performance.

7. Stability of employment

Men and women are entitled to the same stability of employment. Neither a civil service employee nor a wage worker may be compelled to retire before he or she has reached the statutory retirement age for his or his particular job category or before having worked for 30 years, except where necessary in the interests of the service or firm. Where that is the case, the involuntary retirement is subject to various conditions.[121]

In the private sector, the stability of any given job depends on the terms of the employment contract. In all cases, however, regardless of whether the contract is fixed-term or open-ended, advance notice must be given before it may be terminated; failure to give such notice renders the contract null and void. A worker whose contract is unlawfully terminated may be entitled to compensation.[122] In general, it may be said that the right to stability of employment is a somewhat unclear concept in Togo, owing to the prevalence of disciplinary measures, voluntary separation, layoffs and dismissal.

Pregnant women enjoy security of employment under Togolese law. In the private sector, however, where productivity is important, pregnancy and childbearing may have an adverse impact on a woman employee's career prospects.

8. Retirement age

Retirement age is variable. Some professions are subject to specific requirements in the matter: magistrates and university professors, for example, must retire at 60 years of age.[123]

For police and army personnel, retirement age is between 52 and 58.[124] These age limits do not apply in cases where the person concerned has completed 30 years of service in the case of officers, or 20 years in the case of ordinary policemen and soldiers.

---

[120] General Civil Service Regulations, articles 62 and 63.

[121] Article 2-III of Law 91-11 of 23 May 1991, making provision for civilian and military pensions payable by the Togo Pension Fund.

[122] Labour Code, article 36.

[123] Organic Law No. 96-11 of 21 August 1996, making provision for the status of magistrates.

[124] (a) Law No. 63-7 of 17 July 1963, making provision for the general status of Togolese National Army personnel.

(b) Law No. 91-14 of 16 August 1991, making provision for the special status of members of the Police of the Togolese Republic.

Retirement age may be optional. Civil servants who have reached the age of 50 and decide to retire are credited with additional service time equal to the number of years remaining before they turn 55, which is the compulsory retirement age for most categories of Civil Service employees.[125]

Retirement before the statutory age is also possible for reasons of disability. Civil servants who are disabled in the performance of their duty are credited with additional service time equal to the number of years remaining before their accumulated total reaches 30.[126]

A woman who wishes to retire before the statutory age may do so on the grounds of maternity. Within a maximum period of six years, she is credited with one year of service time for each child she has had, provided the birth was duly registered.[127] A woman with six children who wishes to take early retirement can thus do so at the age of 49. Togolese women are increasingly taking advantage of this form of early retirement.

9. Right to training

In the civil service, the Government takes all appropriate measures to provide training and professional development for its employees. Either individual or group training may be involved, having regard to service needs and the distinctive characteristics of the various job categories.[128]

Civil servants, men and women alike, are provided with professional development and retraining on an equal footing, although perhaps men enjoy a measure of preference.

In some cases, the Government contributes by making grants available to employees selected for training and by establishing professional development centres.

10. Benefits, social security and pensions

Civil Service employees or workers, men and women alike, are entitled on an equal footing to such benefits as paid leave, sick leave, disability compensation, on-the-job accident and illness compensation, old-age pensions, survivors' allowances, maternity benefits, long service pensions, professional development and the like.

Temporary Civil Service employees are excluded from social security benefits, including in particular family allowances. Women who work in the informal sector and do not have social security accounts are also not covered. There are various types of family allowance, depending on whether the beneficiary works in the public or the private sector.[129]

[125] Law on Civilian and Military Pensions, articles 8 and 9.
[126] Ibid.
[127] Ibid.
[128] Civil Service Regulations, articles 38 to 43.
[129] The various Civil Service allowances and benefits are regulated by Law No. 91-11 of 23 March 1991, making provision for the civilian and military pension system; the system is managed by the Togo Retirement Fund. In the private/parapublic sector, the pension plan is regulated by the 1973 Social Security Code, which is managed by the National Social Security Fund (CNSS).

10.1. Old age pensions in the public and private sectors

A civil servant's or worker's old age pension is built up from monthly deductions from his or her pay. The deduction amounts to 7 per cent of pay in the case of civil servants[130] and 2.4 per cent of pay in the case of workers.[131] The old age pension is payable for life. Upon the beneficiary's death, part of his or her pension is paid to the surviving spouse and children.

10.1.1. Pensions for widows and widowers of deceased civil servants

The widow or widower of a deceased civil servant is entitled to a pension in the amount of 50 per cent of the pension that was being paid or would have been paid to the spouse as of the date of his or her death, plus half of any disability allowance that he or she was receiving or might have been receiving.[132] The pension, which is paid monthly, may be claimed at the offices of the Fund, the Treasury or the Prefecture, or it may be paid by bank transfer.

Where the recipient of the pension had more than one wife, the survivors' benefit pension is divided equally among the widows. In the event of the death of one of the widows, her share of the pension is divided equally among the other wives, unless there are one or more minor children from her marriage with the deceased civil servant, in which case her share goes to her children.[133]

Entitlement to a survivor's benefit pension is subject to several conditions:

- A widow aged 55 or over begins to receive her pension immediately and continues to receive it for the rest of her life;
- A widow under 55 years of age is paid a lump-sum settlement equal to four years of a survivor's benefit pension. If widowed a second time, she is not entitled to any further compensation. If she wishes to receive a life pension instead, she must wait until she is 55 years old before she can begin to receive it.

There is no entitlement to a survivor's benefit pension where it is public knowledge, or at any rate determined by enquiry, that the surviving spouse had ceased to live in a state of matrimony with the deceased person for more than three years before his death.[135] As a practical matter, the effective exercise of these rights is sometimes difficult because of the weight of custom.

10.1.2. Pensions for widows and widowers of workers

In order to be entitled to a regular old age pension, a worker must have:

- Reached the age of 55 years;
- Been contributing to a social security account for not less than 20 years;

[130] Article 3 of the 1991 Law making provision for the civilian and military pension system.
[131] Guide to social security benefits, National Social Security Fund, 1972, page 12.
[132] Article 27 of the 1991 Law making provision for the civilian and military pension system.
[133] Article 33 of the 1991 Law making provision for the civilian and military pension system.
[135] Joint collective agreement, article 44.

- Worked not less than 60 insured months during the ten years preceding the pensionability date;

- Given up all paid employment.

An insured person who becomes unable to work before reaching the age of 55 is entitled to a disability pension provided he has:

- Been contributing to a social security account for not less than five years;

- Worked six insured months during the 12 calendar months preceding the onset of the condition leading to disability.

The amount of a worker's old age pension is calculated on the basis of insured time and monthly income. The pension is paid monthly, and may be claimed at the offices of the Fund or paid by postal money order or by bank transfer. In the event of the death of the recipient of a pension, his widow is entitled to a survivor's benefit pension, provided:

- She is at least 40 years or age or suffers from a disability duly certified by a designated physician or acknowledged by the Fund;

- The marriage was duly registered not less than one year prior to the death of the pension recipient, except where a child has been born of the union or the widow is pregnant at the date of her husband's death.

A widower is entitled to a survivor's benefit pension only provided:

- He is certified as being disabled;

- He was supported by his wife, where the latter contributed to a social security account, and where the marriage was duly registered not less than one year prior to her death.

A widow is entitled to have the pension that her husband was receiving or could have received. Where there is more than one widow, the amount of the pension is evenly divided among them, no adjustment being made in the event of the death or remarriage of any of them.[140] That is, if one of the widows remarries or dies, neither her children nor the other widows are entitled to her share.

Entitlement to a surviving spouse's pension lapses in the event of remarriage.

11. Protection of the health of civil servants and workers

With a view to protecting the health of civil servants and workers, the law makes provision for sick leave, convalescent leave and maternity leave.

[136] Social Security Code, article 44.
[137] Executive Order No. 69-113, making provision for the application of the Civil Service Regulations, article 64.
[138] Labour Code, article 112.
[139] Executive Order No. 69-113, making provision for the application of the Civil Service Regulations, articles 57 to 63, Joint collective agreement, article 44.
[140] Labour Code, article 113.

11.1. Civil service

In the event of duly certified illness preventing a civil servant from performing his duties, he is entitled to sick leave. Convalescent leave begins at the date of the patient's discharge from hospital or clinical cure. Every sick leave and convalescent leave entitlement is for a maximum of nine months. At the end of the convalescent leave, if the employee is not able to resume his duties, he is laid off.[141]

A civil servant who is on sick leave is paid his full salary. A civil servant on convalescent leave is paid his full salary for six months. During the next three months he is paid only half his salary; however, he retains his full entitlement to all types of family allowance.

In order to enable a civil servant to exercise his or her right to health, the Government will issue an official voucher for deferred payment of 50 per cent of all illness-related costs, which will be honoured by a medical centre. Owing to the current economic crisis, however, it has become increasingly difficult for Togolese civil servants to obtain this benefit.

A woman civil servant is entitled to maternity leave with full pay during the period immediately preceding and following her delivery. The maximum duration of maternity leave is six weeks preceding the anticipated date of delivery and eight weeks after the delivery. If at the end of that period the woman is unable to return to her duties, she may take sick leave.

11.2. Private sector

In the event of illness duly certified by a qualified doctor, an employee may take leave of absence, at the employer's expense, for up to six months. Such leave of absence is not deducted from the employee's accumulated annual leave entitlement. Where an employee is hospitalized at the orders or under the supervision of the company doctor, the firm will pay the cost of such hospitalization, subsequently recovering 50 per cent of the amount involved by withholding from the employee's pay after completion of the treatment.

A woman employee who has a child may be absent from her work for 14 consecutive weeks, including six weeks following the date of her delivery. Such absence may not be deemed cause for termination of her contract of employment. Her absence may be extended for up to three weeks in the event of illness associated with her pregnancy or delivery. During this period, she may not be dismissed.

During this period, while her contract of employment is suspended, a woman employee is entitled to compensation equal to half the amount of her wages from the National Social Security Fund and a similar amount from her employer.

During the 15 months following the birth of her child, a woman is entitled to nursing breaks, the total duration of such breaks not to exceed one hour per working day. During such a break, the mother may leave her work without prior notice and without penalty.

Employers are laudably meticulous about making these benefits available to their women employees.

[141] Executive Order No. 69-113, making provision for the application of the Civil Service Regulations, article 56.

In addition, an employee or civil servant whose wife has just given birth is entitled to three days of parental leave, to be taken within the two weeks following the date of the child's birth. Most men exercise this entitlement.

In a word, the maternity leave system serves effectively to safeguard the function of reproduction.

12. Day care services

Togo has no social services designed to enable parents to combine family obligations with work responsibilities, in particular through promoting the establishment and development of a network of child-care facilities.

As a rule, it is families themselves that look after their children, by employing servants or calling upon the services of grandparents, even where the parents have to work unusually long hours.

Table 28

Percentage distribution of child care practices

Practice	*Frequency (%)*
Children taken to the workplace	32.1
Children cared for by their grandmother	17.9
Children cared for by elderly persons	11.6
Children left alone at home	9.8
Children cared for by a nurse	5.4
The mother herself cares for the children	3.6
Children cared for by a sister-in-law or the mother-in-law	3.6
Children cared for by a young girl	3.6
Children left with mother-in-law	2.7
Children left with a neighbour	2.7
Children cared for by a co-wife	0.9
Children cared for by the husband	0.9
No response	0.4
Total	**100**

Source: Early Childhood Promotion Centre, *Application of business techniques in Africa*, 1990 (in French).

In many cases, it is the mother herself who looks after the children as long as she remains at home. In her absence, the children are cared for by other persons, usually grandparents or other elderly people. Husbands and co-wives seldom care for them (2 per cent). Some mothers keep an older daughter at home to look after her younger brothers and sisters, or leave them in the care of a young girl (15 per cent), who is generally a domestic servant.

In an effort to deal with this problem, the Government has initiated a programme aimed at the protection of young children (CPPE) in rural areas. This programme has had only a very limited impact, owing to financial difficulties.

13. Situation of women employed as domestic servants and migrant women

The situation of women employed as domestic servants is complex in the sense that they are not covered and protected by law. They work by agreement with their employers, with whom, as a rule, they have no more than a verbal contract that is essentially precarious; most of them earn less than the SMIG..[141]

Most of these women domestic servants come from rural areas and have no education or training of any kind.

At the present time, there are a number of unscrupulous middlemen (acting as employment agencies) who tend to exploit both employers and their employees (the domestic servants).

Generally speaking, the latter are left to fend for themselves as best they can, and in some cases are mistreated by the women who employ them.

Migrant women, for their part, fall into two categories:

- Internal or seasonal migrants, who come to Lomé from the interior of the country;
- External migrants, who come from the neighbouring countries of the subregion (Ghana, Niger, Benin, etc.).

Poverty makes these women easy prey for domestic and foreign traffickers in women. They may be a young as 8 or as old as 35. They come to Lomé in search of odd jobs as porters, street vendors and the like.

14. Women in unstructured sectors and their problems

Difficulties confronting women who work in the informal economy include limited markets, operating problems, lack of appropriate support services, difficulty in obtaining credit from banks, high interest rates, high market taxes, poor capital management for want of appropriate training, Government inaction, markets that are unsafe and unsanitary, lack of first-aid stations in most markets, inadequate toilet facilities, overcrowding, disorderly, unprotected markets, and so on.

As a means of coping with the problem of access to bank credit, women who work in the informal sector in cities have devised a system of *tontine* funds. Other solutions include credit unions for rural and urban women, and microfinance, which is an intermediate system, neither quite bank credit, yet not a traditional form of finance either. It has been developed essentially through external assistance, with lines of credit being set up at Togolese banks. However, most women are not informed about these funding resources or even aware of them, and consequently are not able to take advantage of them.

Another problem is that most Togolese women lack the capacity to develop and execute a project that is financially viable in a conventional sense. To correct that problem, NGOs will have to provide them with support and guidance. Ideally, any woman will then be able to obtain funding to start a small business.

[141] *Salaire Minimum Interprofessionnel Garanti* (minimum wage).

Most economically active women (78 per cent) are self-employed, 9 per cent work for someone else, and 13 per cent work for their parents. Whoever their employer, a very large majority (81 per cent) of all working women earn some cash income, but as a rule they are poorly paid.

15. Women entrepreneurs

Three quarters of all Togolese women live in rural areas. They account for 60 per cent of the farm labour force and perform agricultural tasks of all kinds. In many villages with streams running through them, women grow vegetables (such as lettuce, green beans, onions, cucumbers and the like) exclusively for sale as cash crops. City women, both individually and on a cooperative basis, also plant gardens on vacant lots, where water can be found at a depth of a few metres and is obtainable for the cost of digging one or more wells. In all, 41 per cent of Togolese women engage in agriculture as their main economic activity, compared to 49 per cent of Togolese men. Women also operate nurseries, produce firewood and charcoal, keep small livestock such as poultry, sheep, goats and pigs, operate fishponds, and so on.

In the secondary sector, 30 per cent of all women entrepreneurs have manufacturing businesses, mainly in the phosphate industry, while 40 per cent of them are engaged in industrial agri-food production. Both village and city women produce and market palm oil, peanut oil and coconut oil, *gari* and tapioca, which are made from cassava, and a local alcoholic beverage obtained from processed fermented maize and sorgum. They also gather and process shea nuts and African locust beans. These are important activities, the products of which are sold on the domestic market. Women occupy an important place in the fishing industry as well: they smoke the fish and market and distribute fishery products. Making bread and other bakery products is another activity in which there are many women entrepreneurs.

The main tertiary-sector activities that afford opportunities for women entrepreneurs are trade (29 per cent, compared to 7.2 per cent in the case of men), restaurants, bars and hotels (14.6 per cent, compared to 1.7 per cent for men), and banking and services (electricity, gas, water, communication, health care and the like). Women entrepreneurs dominate such trades as sewing and embroidery, hairdressing, pottery, basketry, soap-making and weaving. Some women have opened pharmacies or private schools which they manage themselves. Women are also active in the building trades, public works and the like. In the field of trade, women store, process and distribute agricultural products, sell fabrics, and market foodstuffs, cosmetics and various other types of goods. Togolese women have the reputation of being great traders. "Nana benzes" were long held up as an ideal in the subregion. Unfortunately, many of them did not survive the economic and political crisis that racked the country between 1989 and 1993.

16. Value of women's housework and agricultural work

Agricultural work performed by women is not taken into account for purposes of calculating Togo's gross domestic product, and the value of their domestic work is not counted either. However, it is being considered in judicial practice: judges hearing divorce cases are increasingly taking those types of work into account when dividing community property between the separating spouses.

17. Trade union membership among the female labour force (see fuller discussion under Article 7, item 2 above)

Women account for perhaps one third of all trade union members in Togo. There are large numbers of women trade unionists in such economic sectors as sewing, hairdressing, trade and the like.

Article 12. Equal access to health care services

The State recognizes citizens' right to health and works to promote that right (article 34 of the Constitution).

1. Health policy

1.1. National Health Policy

The National Health Policy was adopted in October 1996 and revised in September 1998. Its object is to provide the Togolese people with a state of health adequate to ensure that all citizens can lead socially and economically productive lives. Under the NHP, the following strategic lines of action have been selected:

- Priority to primary health care;
- Enhanced access to health care services and upgrading the quality of those services;
- Poverty alleviation in a context of the equitable provision of health care for all.

The Policy also recommends the provision of reproductive health services as defined at the International Conference on Population and Development (ICPD) and other international conferences.

1.2. Policies and standards in the field of reproductive health

The objective of Togo's reproductive health policies and standards is the reduction of morbidity and mortality rates among target groups, including in particular mortality among mothers and children.

Reproductive health comprises four areas, each with components that are specific to it, but they also have components in common, related components and supporting components.

- Components that are specific to each area have to do with aspects relating specifically to the reproductive health of women, children, young people and adolescents, and men.
- Components common to all four areas are cross-cutting components that are of relevance for women, children, young persons and men alike.
- Related components are components that affect all four areas of reproductive health, but whose action arises primarily from development sectors other than health.
- Supporting components are broad action strategies relating to the implementation of reproductive health programmes.

2. National pharmaceutical policy

The National Pharmaceutical Policy is an integral part of Togo's National Health Policy. It was adopted in 1997, and its objective is to ensure that the country's entire population has access to essential medications that are effective, safe and of good quality, and makes rational use of them. This policy helps strengthen the Government's primary health care strategy and is a step toward the ultimate goal of health for all.

The establishment of the Generic Drugs Purchasing Agency (CAMEG-TOGO) was designed as an initial effort in that direction.

Until 1990, the distribution of pharmaceutical products to private pharmacies was a Government monopoly. The distributor was known as the National Pharmacies Corporation (Togopharma).

Today, there are four private distribution firms, all with their head offices in Lomé, that supply retail pharmacies with the products they sell.

There are a total of 119 pharmacies in Togo, no fewer than 99 of them in the city of Lomé and the surrounding district.

The Framework Law on Pharmacies,[142] which was enacted in 2001, has created a setting for the management of medications and the functioning of the pharmaceutical sector. Under the Law, the task of managing medications is entrusted to qualified professionals in order to ensure that the medications used by consumers are safe.

A private pharmacists' association was founded in 2001 as well. Since that time, it has dedicated its efforts to more effective distribution of medications, having regard to the needs of the public.

In Togo, women have full access to all available general and specialized health care services; there are no discriminatory practices in that area. However, health care services are still underused by women, owing to various cultural and socioeconomic factors such as poverty, illiteracy, ignorance and, above all, lack of decision-making power.

3. Organization of the health care system in Togo

Togo's health-care system is concentric in structure:

- The central zone includes the services available from the three university hospitals (CHUs), two in Lomé and one in Kara, which have been designed to serve as national references.
- The intermediate zone contains the country's five regional hospitals (CHRs), located in regional administrative seats. These are reference hospitals for patients who cannot be satisfactorily treated in a peripheral-zone institution.

[142] Law No. 2001-002 of 23 January 2001, constituting a Framework Law on Medications and Pharmacies.

– The peripheral zone comprises:

- Prefecture (or district) hospitals;
- Secondary hospitals;
- Private clinics;
- Medical centres;
- Armed Forces medical centres;
- General clinics;
- Physicians in private practice.

4. Health situation

The health situation in Togo is characterized by high infant and child mortality rates, which are attributable to infectious and parasitic diseases such as malaria, diarrheal illnesses, acute respiratory infections, measles, whooping cough, diphtheria and nutritional deficiency diseases. Maternal mortality rates are still very high as well; some determinants of those rates are early pregnancy, closely spaced pregnancies and induced abortion.

AIDS continues to gain ground: an estimated 5.3 per cent of the country's population is HIV-positive.[143]

For the country as a whole, health infrastructure coverage is one health care unit for every 8,500 people, compared to the figure of one for every 5,000 people recommended by the World Health Organization (WHO), although, to be sure, there are substantial disparities between regions. Geographic accessibility ranges between a distance of three kilometres to a distance of 50 kilometres for peripheral health care units, and may be a distance of as much as 100 kilometres for an initial reference level.[144]

Togo's health care spending has never accounted for 10 per cent of the country's general budget, as recommended by WHO. Between 1994 and 1999, spending on health care accounted for between 4.92 per cent and 8.80 per cent of the general budget.[145]

4.1. Health care infrastructure

In 1999, Togo had an estimated 830 health care facilities, including 479 public facilities, 189 private facilities, 42 facilities operated by religious organizations and 120 community facilities.[146]

[143] PNLS/IST 2001.
[144] Togo Population and Health Survey, 1998.
[145] Health Statistics Yearbook, Ministry of Public Health, 2000.
[146] Ibid.

Table 29
Distribution of health care facilities by region, 1999

	Category of health care facility				**Total**	
Region	*Public*	*Private*	*Operated by religious organization*	*Community*	*Number*	*%*
City of Lomé	88	110	–	–	**198**	**23.96**
Maritime	40	65	07	19	**131**	**15.8**
Plateaux	153	01	14	03	**171**	**20.6**
Central	54	03	06	–	**63**	**7.6**
Kara	91	08	09	74	**182**	**21.09**
Savanna	53	02	06	24	**85**	**10.2**
Category total	**479**	**189**	**42**	**120**	**830**	**100**

Source: Health Statistics Yearbook, Ministry of Public Health, 2000.

The Plateaux region leads the country in terms of public health care infrastructure, with 153 facilities, owing in part to the fact that that region is subdivided into a large number of prefectures.

Table 30
Number of people per health care facility, by region

Region	*Number of people per health care facility*
Maritime	9 201
Plateaux	6 082
Central	7 206
Kara	3 319
Savanna	6 553
Total	**5 429**

Source: Health Statistics Yearbook, Ministry of Public Health, 2000.

For the country as a whole, every health care facility serves an average of 5,429 people, but there are substantial regional disparities: the Maritime region has 9,201 people per facility, while in the Kara region there are only 3,319.

Table 31
Number of hospital beds, regions and CHUs, 1999

Region	*Number of beds*	*Percentage*
Lomé CHUs	1 378	19.7
Maritime	1 384	19.8
Plateaux	1 739	24.9
Central	511	7.3
Kara	1 408	20.2
Savanna	558	8.0
Total	**6 978**	**100**

Source: Health Statistics Yearbook, Ministry of Public Health, 2000.

Togo thus has 6,978 hospital beds in all for its over 4,269,500 inhabitants. The Maritime region alone has 2,762 beds, i.e. 39.5 per cent of the total.

4.2. Health care personnel

In 1999, the Ministry of Health employed a total of 7,673 persons in its various administrative structures and health care facilities, all categories taken together. Approximately 67 per cent of those employees had had medical or paramedical training, while 33 per cent had had other types of training.[146]

Table 32
Distribution of categories of medical and paramedical personnel by region

	Category								
Region	*Physician*	*Government nurse*	*Midwife*	*Medical assistant*	*Government lab. assistant*	*Senior lab. technician*	*Senior sanitary engineering technician*	*Other*	**Total**
City of Lomé	14	53	110	20	16	10	03	119	**345**
Maritime	263	429	139	106	136	57	24	942	**296**
Plateaux	21	152	52	42	35	12	09	999	**722**
Central	12	83	24	20	18	09	09	270	**445**
Kara	50	160	45	68	52	24	12	692	**1 103**
Savanna	14	75	14	17	13	08	05	282	**428**
Category total	**374**	**952**	**384**	**273**	**270**	**120**	**62**	**2 704**	**5 139**

Source: Health Statistics Yearbook, Ministry of Public Health, 2000.

Two hundred and seventy-seven of Togo's 374 doctors (74 per cent) and 249 of 384 midwives (65 per cent) practise in Lomé and the Maritime region.

In 1999, Togo had one doctor for every 12,048 people, on average, compared to one for every 15,514 people in 1998. It also had an average of one nurse for every 4,733 people, one midwife for every 11,734, and one medical assistant for every 16,505.[147]

5. Laboratories and blood transfusion centres

Togo's situation with respect to biological analysis laboratories is clearly unsatisfactory; neither service quality nor analysis standards are regulated, as the country has no legislation in that area.

There are only two blood transfusion centres, one in Lomé and one in Sokodé, and even they are underequipped. Togo's blood transfusion services are thus clearly inadequate. The safety aspect, in particular, is a source of concern in view of the continuing ravages of AIDS.

[146] Ministry of Public Health, 2000.
[147] Ibid.

6. Legislation on abortion

Togolese law has nothing to say about abortion as such. However, the law does protect adolescent girls from early pregnancy by prescribing fines and/or imprisonment for every person who impregnates a schoolgirl or girl attending a training institution.[148]

There are no statistical data on abortion, but there can be no doubt that it is a common phenomenon. The only cases that come to light are those in which complications ensue, so that the victim has to seek medical advice at a public or approved private health care facility.

There are a number of factors that may drive women to seek clandestine abortions:

- Undesired early pregnancy in women and adolescent girls;
- Numerous closely spaced pregnancies;
- Inadequate information about the risks of abortion;
- Lack of education, financial hardship, limited access to contraceptive methods, and the like.

7. Fertility and pregnancy in adolescent girls

Fertility rates among adolescent girls are very high. In 1998, 19 per cent of all adolescent girls between the ages of 15 and 19 had already begun childbearing: 16 per cent of them had had at least one child, and nearly 4 per cent were pregnant with their first child.[149]

Fertility appears earlier in the case of adolescent girls who live in rural areas (25 per cent, compared to 12 per cent for urban areas). Uneducated girls frequently begin childbearing earlier than girls who have attended primary or secondary school (38 per cent compared to 16 per cent and 4 per cent respectively).[150]

Data on pregnancy in adolescent girls[151]

These data were compiled from responses to the following questions:

Have you ever been pregnant?

Out of a total of 377 adolescent girls surveyed, 91, or 24 per cent, said that they had been pregnant.

How many pregnancies have you had?

Out of a total of 86 adolescent girls surveyed:

- 56 (65 per cent) said that that they had had one pregnancy;

[148] Law No. 84 of 16 May 1984 concerning the protection of girls and boys officially enrolled at an educational institution or vocational training centre; the penalty is imprisonment for a term of not less than six months nor more than three years and a fine of not less than 200,000 nor more than 500,000 CFA francs. This law is officially still in force, but has become a dead letter.

[149] Togo Population and Health Survey, 1998.

[150] Ibid.

[151] Togolese Family Welfare Association (ATBEF), *Young people's need for information about sexuality and fertility* (in French).

– 22 (26 per cent) said that they had had two pregnancies;

– 6 (7 per cent) said that they had had three pregnancies;

– 2 (2 per cent) said that they had had four pregnancies.

How old were you when you had your first pregnancy?

Out of a total of 86 adolescent girls surveyed:

– 1 per cent said 12;

– 20 per cent said 17;

– 23 per cent said 18;

– 18 per cent said 20;

– 2 per cent said 25.

What was the outcome of your first pregnancy?

Of the 79 adolescent girls who answered this question:

– 40 per cent said that they had borne a child;

– 52 per cent said that they had had an abortion;

– 8 per cent said that they had suffered a miscarriage.

According to the findings of this survey, most pregnant adolescent girls are in the 12 to 18 age group. In over half (52 per cent) of these cases, the girl ended by having an abortion. One reason for this is doubtless that the partner of the girl concerned is often a penniless student or apprentice.

8. Infant and child mortality

Child mortality rates are high. Between 1993 and 1998, 80 of every 1,000 children born died before reaching their first birthday, and 146 of every 1,000 died before reaching their fifth birthday.[152]

Table 33
Mortality among children under the age of 5

Period	*Neonatal (NN) mortality*	*Post-neonatal (PNN) mortality*	*Infant (1q0) mortality*	*Child (4q1) mortality*	*Under-five (5q0) mortality*
1993–1997	41.3	38.5	79.7	72.3	146.3
1988–1992	43.4	37.5	81.0	65.3	141.0
1983–1987	50.4	40.6	91.0	73.8	158.0
1978–1982	47.3	49.7	97.0	100.3	187.6
1973–1977	55.9	48.0	103.9	86.9	181.7

Source: EDST-II, 1998.

[152] Togo Population and Health Survey, 1998.

The above table shows changes in neonatal, postneonatal, infant, child and under-five mortality rates for successive five-year periods during the 25 years between 1973 and 1997.

The trends may be summarized as follows:

- Infant mortality declined steadily from 55.9 per 1,000 to 41.3 per thousand;
- Postneonatal mortality declined from 58 per thousand to 37 per thousand, then increased to 38 per thousand;
- Infant mortality declined from 103 per thousand to 79 per thousand;
- Child mortality increased from 86 per thousand to 100 per thousand, then declined to 72 per thousand;

Under-5 mortality declined from 181 per thousand to 141 per thousand, then increased to 146 per thousand.

9. *Maternal mortality*

Togo's maternal mortality rate is high: for every 100,000 live births, an average of 478 mothers die either during childbirth or in the course of the six weeks after giving birth. This high mortality rate is the result of:

- *Proximate causes:* malaria, anemia, nutritional deficiencies, haemorrhage, urinary infections, eclampsia, delivery at home, AIDS.
- *Underlying causes:* inadequate access to health care services, poor health care service quality (personnel), inadequate facilities, and the like.
- *Structural causes:* poverty, illiteracy, sociocultural factors, low social spending levels, inadequate resource management capacity.

Infection and haemorrhage are the main causes of maternal mortality. Of 354 maternal deaths at the Tokoin CHU, 43.45 per cent and 26.18 per cent were found to have been due to infection and haemorrhage respectively. The same pattern was observable at the Sokodé CHR, where 29.31 per cent of maternal deaths were due to infection and 43.10 per cent to haemorrhage.

Table 34
Causes of maternal death, Tokoin CHU and Sokodé CHR, 1987 to 1989

	Tokoin CHU		*Sokodé CHR*	
Cause of death	*Number*	*%*	*Number*	*%*
1. Direct obstetrical cause				
Infection	83	43.45	17	29.31
– Postabortal septicemia and peritonitis	41		4	
– Puerperal infections	33		10	
– Postoperative peritonitis	9		3	
Haemorrhage	50	26.18	25	43.10
– Postpartum haemorrhage	18		3	
– Postabortal haemorrhagic shock	10		1	
– Incomplete abortion	7		1	
– Retained placenta	4		1	
– Placenta praevia	4		5	
– Ruptured ectopic pregnancy	4		2	
– Ruptured uterus	3		12	
Renovascular event	20	10.47	7	12.07
– Eclampsia	16		5	
– Acute pulmonary edema	4		0	
– Premature detachment of normally implanted placenta	0		2	
Other	10	6.80	3	5.17
Toxic shock	6		2	
Amniotic embolism	2		0	
Anaesthesia-related incidents	2		1	
2. Indirect cause				
– Chronic anaemia	23.2	12.04	6	10.35
– Hepatitis	2		0	
3. Cause not determined	3		0	

10. Health care programmes for women and adolescent girls

10.1. Ministry of Health programmes

Concerned as it is to address the issue of reproductive health, especially as it affects women and adolescent girls, the Ministry of Health has overhauled Togo's institutional framework for reproductive health by establishing the Family Health Division (DSF) within the Primary Health Care Directorate (DSS), with three services:

– Women's Health Service;

– Children's Nutrition and Health Service;

– National Youth and Adolescent Health Services (SNSJA).

As a result of this reform, more satisfactory reproductive health services are now available.

10.1.1. Reducing the risks associated with childbearing: prenatal care and deliveries

– Prenatal care

In 82 per cent of all births, the mother has had the benefit of prenatal consultation with a health-care professional, either a doctor (4 per cent) or a nurse or midwife (78 per cent).[153] Prenatal care is provided in the case of nearly all births in urban areas (95 per cent), while the corresponding figure for rural areas is 78 per cent.[154] Prenatal consultation is less usual in the case of uneducated women (76 per cent) than in the case of women who have attended primary school (90 per cent), and nearly universal in the case of women with a secondary or post-secondary education (97 per cent).[155]

– Deliveries

Between 49 and 51 per cent of all deliveries take place in health care facilities.[156] The frequency of giving birth in a health care facility correlates with distance from the nearest available facility; this explains why the frequency is higher in urban areas (85 per cent) than in rural areas (38 per cent).[157]

Essential obstetrical care is now available for 94 per cent of all deliveries, thanks to a training programme for traditional midwives. Emergency obstetrical and neonatal care is available at 16 of the country's 35 reference centres.

10.1.2. Family planning

NGOs and professional and other associations have been very actively involved with the implementation of Togo's family planning programme. Historically, family planning activities go back to 1975, when a Togolese NGO, the Togolese Family Welfare Association (ATBEF), began to provide services in that field, well before the Ministry of Health became involved. Today, the Government's family planning efforts are supplemented by those of other NGOs and associations, most of which are concerned with the dissemination of information about child spacing and community-based distribution of contraceptives at affordable prices (500 to 2,000 CFA francs).

10.1.2.1. Awareness of contraception [158]

Awareness of contraception is all but universal in Togo; educated women, uneducated women, young people, elderly people, all have heard of it. Over nine women out of ten (93 per cent) are familiar with at least one modern contraceptive method.

---

[153] Togo Population and Health Survey, 1998.

[154] Ibid.

[155] Ibid.

[156] In the 1998 Population and Health Survey, the frequency of delivery in health care facilities was estimated at 49 per cent; UNICEF, in *The State of the World's Children, 2001*, estimated the figure at 51 per cent.

[157] Togo Population and Health Survey, 1998.

[158] Ibid.

10.1.2.2. Use of contraception [139]

Over six sexually active women out of ten (67 per cent) stated that they had used a contraceptive method at least once, and 25 per cent said that they had used a modern method. Condom (12 per cent), pill (9 per cent) and injection (7 per cent) were identified as the most widely used modern methods.

Despite near-universal awareness of modern methods, however, only 24 per cent of sexually active women use contraception at all, and only 7 per cent use a modern method. Among sexually active men, the frequency of contraception is 42 per cent (28 per cent traditional methods and 14 per cent modern methods).

The use of modern contraception correlates positively both with urbanization and with the education of women: only 6 per cent of rural women in rural areas use modern contraceptive methods, compared to 10 per cent of urban women. Similarly, the use of modern methods ranges from 4 per cent among uneducated women to 15 per cent among women with a secondary or post-secondary education.

Family planning services are offered by public health care facilities; coverage is now up to 77 per cent. A full range of family planning methods is available under the minimum package of activities (MPA) provided for each service level.

10.1.2.3. Attitudes to family planning

In nearly four couples out of ten (39 per cent), both husband and wife are in favour of family planning, and in a further 30 per cent one of the partners is in favour. Couples where neither partner is in favour of family planning account for no more than 6 per cent of the total.

10.1.2.4. Contraceptive methods

- Traditional methods: extended breastfeeding, post-partum abstinence, periodic abstinence, withdrawal.
- Modern methods: intrauterine device, injection, pill, vaginal methods (spermicides, foams, jellies, creams, diaphragm), male condom, female sterilization, male sterilization, voluntary surgical contraception (VSC), calendar method (where the woman has a good knowledge of her ovulatory cycle).

10.1.3. Nutrition

Activities aimed at enhancing the health of women and children through better nutrition include:

- The establishment of Community Growth Monitoring and Promotion (CPC) villages. This activity involves weighing children every month between birth and the age of three, holding informal educational meetings for mothers, giving mothers personalized advice, organizing cooking demonstrations and promoting local foods that are rich in micronutrients;
- Preparation of informational materials on the importance of proper nutrition and the function of micronutrients;

[139] Togo Population and Health Survey, 1998.

- Production and distribution of informational, educational and awareness-enhancing materials on good nutrition for children and pregnant women and the importance of micronutrients;
- Evaluation of hospitals in the context of the Baby-Friendly Hospital Initiative (BFHI), with qualifying hospitals awarded "baby-friendly" status;
- Monitoring of the iodine content in cooking salt used in homes, sold in markets and imported from other countries.

10.1.4. Health of young people and adolescents

A national youth and adolescent health programme was introduced in 1997, but few activities have been developed in the sense of the establishment of structures specifically designed for members of that age group.

None the less, the former school medical services have been upgraded to a national youth and adolescent health service that provides young people with appropriate reproductive health information and services. Twenty-five district managers have received training in dealing with young people, and over 200 young men and women have been trained to be able to function as peer counsellors.

10.2. Ministry of National Education and Research programmes

This Ministry has initiated a programme on population and development education for sustainable human development, which includes a reproductive health component (PDE/RH programme). This programme has proved a useful means of enhancing young people's awareness of these issues; more than 170,000 Level II pupils have been exposed to it to date.

PDE/RH is now being introduced into initial training programmes for teachers at the National Institute for Studies in Education (INSE), which is part of the University of Lomé, and at the National Teacher Training School (ENS) in Atakpamé.

10.3. Ministry of Culture, Youth and Sports programmes

A project aimed at providing support for the prevention of STDs, HIV/AIDS and unwanted pregnancies among young people is currently being implemented.

10.4. Ministry of Social Affairs, Status of Women and Child Protection programmes

A project aimed at strengthening the institutional capacities of DGPF and NGOs with a view to reducing gender-related inequalities has enabled them to:

- Conduct activities designed to further the task of eliminating all forms of violence against women;
- Strengthen women's capacities to manage their own lives and control their own bodies;
- Help strengthen the economic power obtained by women through income-generating activities.

10.5. Ministry of Justice, with Responsibility for the Promotion of Democracy and the Rule of Law

A plan to harmonize strategies for repeal of the 1920 law has been adopted.

10.6. Ministry of Economic Planning, Urban Planning, Land-Use Planning and Housing

The Population Planning Directorate (DPP) coordinates population activities pursuant to the programme of action adopted at the International Conference on Population and Development (ICPD). The various services of the General Directorate for Planning, for their part, track the implementation of activities relating to the situation of women and children.

11. HIV/AIDS control programme

The HIV/AIDS pandemic is sufficiently serious to warrant a programme devoted exclusively to the task of bringing it under control through a comprehensive multisectoral, multidisciplinary effort.

Infection with HIV/AIDS is on the rise, with a mean prevalence estimated at between 3.3 per cent and 5.9 per cent of the country's population. The average number of persons living with HIV is estimated at between 150,000 and 200,000.

Table 35
Numbers of cases of AIDS reported in Togo, by year

Year	*Number of cases*
1987	6
1988	20
1989	166
1990	458
1991	628
1992	864
1993	1 330
1994	1 284
1995	1 710
1996	1 527
1997	1 211
1998	1 623
1999	998
2000	687
Total	**12 512**

Source: PNLS, Technical data on the status of the HIV/AIDS/STD epidemic and related activities, 2001.

Between 1987 and 2000, i.e. over a 13-year period, 12,512 cases of AIDS were reported. The largest numbers of cases were reported in 1995, 1996 and 1998, with 1,710, 1,527 and 1,623 cases respectively. As the table shows, the numbers were down slightly in 1999 and 2000, with 998 and 687 cases respectively. The entire country has been affected by the pandemic, albeit to varying degrees.

Table 36
Distribution of cases of AIDS by prefecture - Togo 1998

Prefecture	Men	Women	Total
Gulf	220	246	466
Lakes	36	28	64
Vo	22	29	51
Yoto	4	5	9
Zio	24	23	47
Avé	2	6	8
Afagnan	59	66	125
Total, Maritime region	**367**	**403**	**770**
Haho	10	15	25
Middle Mono	8	10	18
Agou	24	28	52
Kloto	33	42	75
Amou	9	6	15
Wawa	5	3	8
Ogou	14	8	22
Eastern Mono	6	4	10
Total, Plateaux region	**109**	**116**	**225**
Blita	11	15	26
Sotouboua	4	5	9
Tchaoudjo	52	50	102
Tchamba	8	7	15
Total, Central region	**75**	**77**	**152**
Bassar	14	19	33
Assoli	37	48	85
Dankpen	3	2	5
Kozah	105	121	226
Binah	10	9	19
Doufelgou	12	13	25
Kéran	7	5	12
Total Kara region	**188**	**217**	**405**
Oti	6	5	11
Tandjouaré	3	1	4
Tône	26	25	51
Kpendjal	3	2	5
Total, Savanna region	**38**	**33**	**71**
Total, all regions	**777**	**864**	**1 623**

Source: PNLS, 2001.

A total of 1,623 cases were reported in 1998, and of these, 864, or 53.23 per cent, were women. Women with AIDS outnumber their male counterparts in all regions except the Savanna region. The Maritime region has the most cases, with 770, including 403 women, while the Kara region comes second with 405 cases, including 217 women.

11.1. Actions aimed at bringing the pandemic under control

The Government quickly realized that the situation was serious, and as early as 1984 was sending physicians and scientists to Europe and the United States for training on dealing with HIV.

A number of actions have been undertaken, including:

- Establishment of a National AIDS Control Programme (PNLS), which in September 2001 was replaced by the National Council for the Control of AIDS and Sexually Transmitted Diseases. The mandate of PNLS was to use information, education and communication to reduce the HIV infection rate, prevent the spread of the virus through sexual contact or blood-related transmission, and prevent mother-to-child transmission;
- Establishment of a national early detection centre that provides service free of charge and also educates HIV-positive people about hygiene and appropriate behaviour;
- Action to establish early detection facilities in all regional administrative seats;
- Training of 30 trainers (one for every prefecture), 250 advisors and 750 AIDS information distributors covering the entire country;
- Establishment of AIDS clubs in 30 pilot CEGS;
- Integration of HIV/AIDS/STD material in Level II and Level III school curricula;
- Preparation of an AIDS information kit for the use of schools;
- Awareness-raising through street theatre;
- Workshops on HIV and development aimed at the public in general and the security forces in particular;
- Action to make traditional chiefs and religious leaders throughout the country aware of the issue.

Togo embarked in earnest on a strategic planning process targeting HIV/AIDS in 2000, with the support of UNAIDS. A situational analysis was undertaken in June of that year in an effort to obtain an in-depth picture of the sociocultural, economic and political impacts of HIV on the country. That analysis resulted in identification of the main determinants and enabled the Government to formulate a strategic plan.

Main determinants:

- high sexual activity rates among young people, with a tendency to engage in such activity with many partners;
- unwillingness to acknowledge the risk of infection and denial of the reality of the disease;
- socioeconomic subordination of women;
- poverty;

- widespread prostitution and high prostitute mobility in Togo as a whole and in the subregion in particular;
- the vulnerability of various categories of women (porters, domestic servants);
- high illiteracy levels among women;
- low condom use rates among young people;
- the phenomena of out-migration from rural areas and extensive internal migration;
- early sexual activity among young people;
- high incidence of STDs;
- inadequate provision for the care and support of persons living with AIDS.

Priority areas for strategic plan formulation purposes:

- action to heighten awareness and realization of the reality of HIV/AIDS;
- awareness of the risk of infection;
- promotion and distribution of condoms;
- sexual education for young people;
- action to combat the stigmatization of persons living with AIDS;
- action to upgrade the social, economic and legal aspects of the status of women.

At the present time, the main obstacles confronting HIV/AIDS control efforts in Togo are economic (poverty), sociocultural (the weight of tradition and culture, belief that AIDS is of magical origin) and religious (some religious communities refuse to use condoms).

11.2. Assets at Togo's disposal for combating the spread of HIV/AIDS

- The recent public commitment made at the highest level by the President of the Republic, and numerous initiatives undertaken with the support of the UNAIDS Thematic Group (UNAIDS-TG);
- Commitment on the part of the private sector;
- The determination of the World Bank's Africa Region, as expressed in its special initiative for intensifying action against HIV/AIDS;
- The launch of the International Partnership against AIDS in Africa, and its establishment in material form in Togo through the expanded UNAIDS Thematic Group;
- Reporting of cases of AIDS. Under the provisions of Executive Order No. 009/90/MSPASCF of 12 February 1990, every physician, whether in Government employ or in private practice, is required to report cases of AIDS to the National AIDS Control Bureau. The Bureau is required to report periodically to the General Directorate for Health on numbers of confirmed cases;

- A system of antiretroviral supply channels was set up in 1997. In June 2001, the Government signed an agreement with four pharmaceutical laboratories manufacturing antiretrovirals, thereby cutting the cost of one year of treatment from $12,000 to $700. However, that agreement is not yet in force;

- At the same time, a wide-ranging programme of publicity about AIDS is being conducted throughout the country. Posters describing the various modes of transmission are displayed in all health care facilities, and giant billboards have been put up in all cities. The emphasis is on prevention through the use of condoms;

- As a result of a concerted effort by the Ministry of Public Health, PNLS and the country's hotels, condoms must now, by law, be routinely placed in all hotel rooms and restaurants. Ever since the President of the Republic's term as President of the OAU, the media throughout Africa have been broadcasting, free of charge, spot announcements about the importance of bringing the pandemic under control;

- A number of NGOs and associations have followed the example set by the Government and are conducting awareness campaigns about the scourge of AIDS. An "NGOs and associations against AIDS" network was established in 1999. In May 2001, an association of persons living with HIV was launched for the purpose of providing more effective care and support for HIV-positive people.

As part of the effort to combat the pandemic, a National Council for the Control of AIDS and Sexually Transmitted Diseases was established by Executive Order on 19 September 2001. The composition of the Council and the array of technical bodies that have been set up to assist it in its work are unmistakable evidence that the country's highest authorities are personally committed to the task of bringing this scourge under control. The Council is chaired by the Head of State, and it has a Permanent Secretariat supported by a Scientific Commission and an Ethics Commission consisting of specialists and representatives of civil society. The Council is in touch with every part of the country through regional and prefectural committees that report to it. Appropriate measures are currently being implemented to ensure that the Council will be a dynamic and functional mechanism.

Togo has no HIV control programmes designed for the benefit of women as such, nor for pregnant and lactating women in particular with a view to avoiding mother-to-child transmission. A free assistance programme aimed expressly at that group would be highly desirable. Provisions for the medical and psychosocial treatment and support of HIV-positive persons and AIDS sufferers are inadequate as yet. There is no national solidarity fund for medical care, and there are no legal provisions for enforcing the rights of infected persons, especially as regards their right to employment and the maintenance of the family unit. It is encouraging none the less to observe that owing to the continuing information effort, people are increasingly aware of the reality of the pandemic and the need to take precautions. Until such time as a viable treatment and support policy has been developed, awareness campaigns should be intensified and maintained in an effort to reduce the new infection rate, to zero if possible.

12. Women and substance abuse

In the absence of reliable statistics, there is no way of determining the prevalence of substance abuse in Togo with any accuracy. However, all observers agree that the use of drugs, which only a few years ago was confined to a small minority of alienated individuals or a handful of expatriates, has now grown to the point where no social, occupational or cultural category in the country is free from it. There are women drug users, but the phenomenon of substance abuse is still much less common among women than it is among men.

Law No. 98/008 of 18 March 1998 is designed to combat that phenomenon. It covers the aspects of substance abuse prevention, control and treatment and the social rehabilitation of drug addicts under the direction of the National Committee on Drug Abuse.

13. Togo's partners in the field of health education

Togo's efforts in the field of health are being supported by a number of partners, including:

- ***UNFPA***, which is the main source of funding and technical assistance, especially in the areas of family planning, pregnancy and childbirth monitoring and the health of young people and adolescents. It is this United Nations agency that is funding the PDE work being done by the Ministry of National Education and Research;
- ***USAID***: This United States aid agency is providing assistance in the areas of family planning and AIDS control through its Family Health and AIDS Prevention project. That project is making use of the services of American NGOs such as PSI, which distributes condoms, birth-control pills and Oracel oral rehydration packs, and INTRAH, which provides on-the-job training for health workers;
- ***UNICEF*** supports activities aimed at promoting the health of women and children;
- ***WHO*** provides mainly technical support for all health programmes, including reproductive health programmes;
- ***GTZ***, the German Agency for Technical Cooperation, is active in the field of health in general and reproductive health in particular, mainly in the Central Region and the City of Lomé;
- ***ATBEF*** is concerned with the field of reproductive health. It is supported in its efforts by IPPF, an international NGO that supports reproductive health activities.

Article 13. Social and economic benefits

1. Right to family benefits

Togo has two family benefit plans, one for civil servants and one for workers, men and women alike.

1.1. Family benefits for civil servants

The benefits to which civil servants are entitled include:

- Family allowances;
- Initial and second age bonus;
- Single-income allowance.

A civil servant is entitled to a family allowance of 2,000 CFA francs for each dependent child up to a maximum of six. The allowance is added to the recipient's salary and paid monthly.

A woman civil servant is not entitled to family allowance for her children unless she can show that the father of the children is not drawing family allowance for them, or unless he renounces his entitlement in favour of the mother. A married woman civil servant who does not receive family allowance is not entitled to any reduction for dependant children in the amount of income tax withheld from her pay.

1.2. Family benefits for workers

Family benefits for employees and permanent staff members of parapublic and private concerns are paid out of the National Social Security Fund (CNSS). These benefits include prenatal allowances, the worker's home allowance, family allowances, and in-kind assistance for mothers and infants.[161]

Prenatal allowances are paid to a woman employee or the wife of a male employee. They are paid in three instalments on the occasion of prenatal medical examinations following the notification of pregnancy.[162]

Every worker is paid a home allowance on the occasion of the birth of each of his or her first three children, provided the children are the issue of his or her first marriage, as duly registered, or of a subsequent marriage where the first spouse is deceased and the death has been duly registered. The spouse of a recipient of a home allowance may not engage in any form of gainful employment.[163]

Family allowances are paid for dependent children up to a maximum of six. As a rule, the allowance is paid to the mother at regular intervals of not more than three months.[164] In some cases, regrettably, men have been known to pocket these benefits. It is probably fair to say that on the whole, most women do not receive family allowances or do not, in practice, have the use of them.

Married women and single mothers are not treated on the same basis as far as family allowances are concerned. A single mother is entitled to family allowances only for two children, whereas a married woman is entitled to family allowances for up to six. This provision is discriminatory toward some women and children, but is

[161] Social Security Code, article 48.

[162] Social Security Code, article 50. The instalments are paid as follows: 1,000 francs after the first examination (in the third month of the pregnancy), 2,000 francs after the second examination (sixth month) and 1,500 francs after the third examination (eighth month).

[163] Social Security Code, article 51. The worker's home allowance is 6,000 francs paid at the birth of each of his or her first three children.

[164] Social Security Code, articles 52 and 57. The amount of the family allowance is 2,000 francs per child per month.

justifiable in that it is designed to encourage marriage.

Assistance for mothers and infants is provided by the CNSS under the Government's health and social action programme. The assistance consists of in-kind contributions, including consultations, medical care, and items or products that will be useful to the mother in caring for her child.

1.3. Maternity benefits

Maternity benefits are paid by the CNSS. These benefits consist of a daily allowance designed to offset the recipient's loss of wages during her maternity leave. Every gainfully employed woman is entitled to a daily maternity benefit while on maternity leave. The benefit is payable for a period of 14 weeks: eight weeks before the anticipated date of delivery and six weeks following the delivery.[165]

2. Right to bank loans, mortgages and other forms of financial credit

Togolese law, banks and financial institutions make no distinction between men and women as far as obtaining credit is concerned. A woman, no less than a man, may own and dispose of real property and obtain a mortgage loan. As a practical matter, however, a woman's prospects of obtaining a mortgage are slim. This is because the main form of security for a mortgage loan is the property title. It is true that a wealthy woman may acquire and be the owner of real property, but this situation seldom arises; most women have little income, and under customary law they can be only usufructuaries.

An ordinary loan may be obtained provided the borrower can put up adequate security. A woman who applies for such a loan may lawfully have a man or another woman put up security on her behalf and obtain her loan in that way.

Limitations on the exercise of the right to credit

A woman's ability to obtain bank credit may be affected by her matrimonial regime. A married woman in a community property regime cannot mortgage property owned jointly by herself and her husband without his consent. She must also notify her husband before mortgaging her own property.[166] A man is subject to an analogous requirement; neither spouse may sell, assign or mortgage his or her personal property without having notified the other spouse.[167]

3. Right to seek legal redress

Inasmuch as the law is the same for all, either a man or a woman has the right to lodge a complaint against a person who has wronged him or her. There is no special mechanism expressly for women. As a practical matter, however, a married woman's right to seek legal redress may be restricted because of such factors as poverty, illiteracy, ignorance of her rights, lack of information, fear of social disapproval and the slow and ponderous nature of judicial procedure.

Even so, traditional Togolese society makes provision for traditional remedies in the event of marital conflict. A woman may appeal to the head of the family or to

[165] Social Security Code, articles 59 and 60.
[166] Personal and Family Code, article 362.
[167] Ibid.

a customary chief or religious leader. Since the 1990s, NGOs and associations for the advancement of women have been providing telephone reassurance services and legal assistance for women in distress.

4. Participation in social, recreational and cultural activities and sports

There are no legal barriers as such to participation by women in sporting, recreational and cultural events. For example, since the educational reform of 1975, sports have been compulsory at secondary schools for both boys and girls.

In Togo, women engage in nearly all types of sport. To mention some examples:[168]

- 12 soccer teams, six of which are ranked in the Honour Division, the counterpart of the regional First Division;
- 10 volleyball teams;
- 7 basketball teams;
- 6 handball teams;
- tennis players.

There are women referees in a number of sports, including:

- 2 handball referees;
- 2 volleyball referees;
- 1 international tennis judge;
- 6 federal soccer referees, including three of international standing (2 head referees and 1 assistant referee);
- 4 league referees;
- 13 district referees; and
- 74 trainee referees.

The executive of the Togolese Soccer Federation (FTF) includes one woman member, while Togo's National Olympic Committee (CNOT) has two women on its executive.

We may note here that CNOT organizes many events for women: sports awareness tours, gifts of sports equipment, establishment of CNOT prefecture-level subcommittees known as Women and Sports Committees with a mandate to organize women's sports teams. In Lomé, CNOT's National Commission supervises the activities of the subcommittees in the prefectures and organizes workshops and training courses for women's sports associations throughout the country.

In addition to the CNOT National Commission, there is an association known as the Women and Sports Association of Togo (AFESTO), which has undertaken the task of contributing to the guidance, support, promotion and development of women's sports in Togo. This organization was founded at the initiative of some

[168] Ministry of Culture, Youth and Sports, December 2001.

former Togolese women champions.

Women are also involved in recreational and cultural activities. In some communities, in particular, the presence of women is indispensable for such ceremonial events as weddings, traditional dances and funerals.

At the same time, there are some obstacles to participation by women in sports and cultural activities, mainly because of the unequal division of labour, the weight of sociocultural tradition, and poverty.

Article 14. Rural women

1. Rural women and the Convention

Rural women in Togo are not informed about the Convention's array of legal provisions in their favour. In recent years, the General Directorate for the Advancement of Women and the Status of Women Directorate, with technical and financial support from Togo's development partners, NGOs and associations, has been conducting nationwide campaigns aimed at providing rural women with training and information about their rights and responsibilities.

It must be admitted that despite a substantial effort that has been sustained for over a decade now, the Convention appears to be very little known, and its provisions have had almost no impact on people's day-to-day lives, especially in rural areas.

2. Togo's population structure

Censuses and surveys conducted since 1960 have consistently shown that Togo has more women than men.

Table 37
Change over time in population structure, by sex

Population-related action	*Males (%)*	*Females (%)*
Census, 1960	48	52
Census, 1970	48	52
Census, 1981	49	51
EDST, 1988	48.8	51.2
EDST, 1998	49	51

Source: Togo Population and Health Survey (EDST), 1998.

Women are slightly more numerous than men, with 51 per cent of the country's population, down from 52 per cent between 1960 and 1970.

2.1. Labour force

The censuses conducted in 1960, 1970 and 1981 showed that Togo's labour force was distributed as follows:

- In 1960, 42.8 per cent women and 57.2 per cent men;
- In 1970, 44.3 per cent women and 55.7 per cent men;
- In 1981, 43.8 per cent women and 56.2 per cent men.

The respective proportions have not changed much over the period covered by these three censuses; the female labour force has gained on its male counterpart, but only slightly.

2.2. Rural and urban population and growth rate

In 1981, Togo's rural population accounted for 74.8 per cent of the total, while the country's urban population accounted for 25.2 per cent. In 1998, the corresponding figures were 67.1 per cent rural and 32.9 per cent urban. The rural population, which had accounted for three quarters of the total in 1981, accounted for just over two thirds in 1998.[169] Between 1970 and 1981, the rural population grew at a rate of 2.4 per cent and the urban population at a rate of 4.4 per cent.[170]

3. Rural population

Togo's rural population was 2,808,607 in 1996[171] and 2,945,000 in 2000.[172] In 1996, the rural farm population was an estimated 2,705,886 people, of whom 1,362,081 were part of the farm labour force.[173]

Table 38
Farm labour force, by sex and region, 1996

Region	*Male*	*%*	*Female*	*%*	*Male + Female*	*%*
Maritime	130 638	9.6	198 452	14.6	329 090	24.2
Plateaux	175 165	12.9	212 182	15.6	387 347	28.5
Central	69 412	5.1	82 443	6.0	151.855	11.1
Kara	99 196	7.3	125 831	9.2	225 027	16.5
Savanna	118 880	8.7	149 882	11.0	268 762	19.7
Total	**593 291**	**43.6**	**768 790**	**56.4**	**1 362 081**	**100.00**

Source: National agricultural census, 1996.

Women outnumber men in the farm labour force, accounting for 56.4 per cent of the total. The Maritime and Plateaux regions account for 30.2 per cent of the total farm labour force. The farm labour force participation rate is 45.5 per cent, broken down as 46.4 per cent women and 44.4 per cent men.[174]

3.1. Rural population and illiteracy

[169] Statistics Directorate, 1998.
[170] Ibid.
[171] Agricultural Surveys and Statistics Directorate, August 1997.
[172] Statistics Directorate, 2000.
[173] Agricultural Surveys and Statistics Directorate, August 1997.
[174] Ibid.

Table 39
Literacy rates in rural areas, 1998

Category	Education level				
	None	Primary	Secondary or post-secondary	Do not know/no answer	Total
Men	32.2	53.8	13.6	0.4	100
Women	59.5	36.3	3.7	0.5	100

Source: EDST-II 1998

In rural areas, no more than two out of every three men (67 per cent) and no more than four out of every ten women (40 per cent) have had any education. Over 59 per cent of all rural women have had no education at all, a figure that is double the corresponding percentage for men, and a mere 3.7 per cent of rural women have completed secondary school or attended a post-secondary institution. In a word, literacy rates in rural areas are low.

Over three fifths of the farm population (61.5 per cent) can neither read nor write, never having attended school. Of the minority who have been to school, 83.1 per cent have never gone beyond Level I, while 13.6 per cent have completed Level II. Illiteracy rates are particularly high in the Savanna region (80.1 per cent), the Kara region (67.3 per cent) and the Central region (61.5 per cent).[175]

3.2. Literacy needs

Togo is greatly in need of literacy training for women. A survey of 265 women's group members found that 72 per cent were illiterate, and that of those who were illiterate, 88 per cent said that they would like to learn to read and write.[176]

The main obstacles to literacy training for women are:

- The tendency for girls to leave school early;
- The failure of literacy campaigns to take trainees' concerns adequately into account (this is now understood, and corrective measures are under way);
- Women's heavy workloads, which leave them neither the time nor the energy to take courses.

4. Sex of head of household

For the country as a whole, 75.6 per cent of all households are headed by a man, while 24.4 per cent are headed by a woman. The proportion of women heads of household is somewhat higher in urban areas (28.9 per cent) than in rural areas (22.1 per cent).[177]

In rural areas, over 80 per cent of all households are headed by a man, whereas 19 per cent are headed by a woman. There are substantial disparities between

[175] National agricultural census, 1996.
[176] *SOTED*, Rehabilitation of existing facilities with a view to training and education for women in Togo, October 1987 (in French).
[177] Togo Population and Health Survey ,1998.

regions: in the Maritime region, 30 per cent of all heads of household are women, while the corresponding figure for the Savanna region is no more than 5 per cent.[178]

For all rural areas, a mere 23 per cent of all heads of household have attended primary school, 11.3 per cent have attended secondary school, and 0.3 per cent have a post-secondary education. In other words, nearly 65 per cent of all heads of rural households are illiterate, with regional disparities ranging from a low of 54 per cent in the Plateaux region to over 82 per cent in the Savanna region.[179] The mean age of heads of household is 43 in the case of men and 48 in the case of women.

5. Rural women's work and working time

The work usually done by rural women in Togo is of three kinds:

- ***Farm work:*** ploughing, sowing, weeding, harvesting crops for the family's own use and for sale, processing and marketing products;
- ***Household tasks:*** keeping the household supplied with water, fuel and certain kinds of foodstuffs, preparing meals, mending clothes and housekeeping. Household tasks are much the same in urban and rural areas; the great difference is that they are performed under very different conditions.

To keep the household supplied with water, for example, a city woman whose house does not have its own supply laid on will spend some time at the neighbourhood water tap, which as a rule is not too far from where she lives.

In rural areas, on the other hand, women have to walk for hours to obtain water from a backwater or retaining reservoir. If there is a well available, the task of drawing water is laborious and exhausting. Another burdensome chore for rural women is gathering and carrying firewood.

The daily preparation of meals requires women to perform such tasks as winnowing grain, sifting flour, cleaning, washing or drying food items, chopping, pounding or grinding them, washing dishes, and storing and protecting food stocks. In addition to all this, women have other tasks to perform, such as housecleaning and going to the market to obtain supplies.

- ***Care and education of children:*** Generally speaking, rural women are the backbone of society. It is mainly they who perform the essential functions of caring for children and seeing to their education. It must be acknowledged that they find it very difficult to discharge these responsibilities adequately, owing to their lack of education, their scanty financial resources and Togo's imperfect health and education facilities. Corrective action should include:
- Development of a literacy training system that is adapted to the strategic interests of rural women;
- Action to enhance women's economic power;
- Upgrading existing support mechanisms (Social Affairs, NGOs, village development committees, and the like).

[178] National agricultural census, 1996.
[179] Agricultural Surveys and Statistics Directorate, 1997 (pre-census data from 1995).

5.1. Rural women's working time

To date there have been few detailed studies on how rural Togolese women spend their working time. The division of tasks in a rural family is such that in agricultural communities, 80 per cent of the work of sowing crops and 70 per cent of the work of weeding and harvesting them is done by women, as is virtually all the work of producing vegetables for sale.[180]

Women also spend four to five hours gathering enough firewood to last for between two and four days. Daily activities take up much of rural women's time; the preparation of meals alone requires an average of more than two and a half hours every day.

6. Rural women's participation in community life

The Government of Togo has established grassroots development committees (CDBs)[181] as a means of enabling communities to participate in their own self-development and advancement. Every committee is directed by an eight-member board elected by the local community, and at least one third of the board members must be women. The mandate of these committees is to:

- Encourage local people to take an interest in participating in the development of their own community;
- Organize the community for its development;
- Contribute to the tasks of identifying community development problems and helping the people to mobilize their internal resources and enlist outside resources;
- Help ensure that development plans give priority to the task of improving the living conditions of the most disadvantaged groups such as children, women and so on.

It may fairly be said that women participate in the upgrading and execution of local development programmes through these committees. The committees establish and run community schools, basic health centres, water supply points and the like, and are thus a force for self-help.

Despite such steps forward, the fact remains that women are generally underrepresented in community decision-making bodies, local civil society associations and co-management structures. It is not easy for local people to grasp the idea that a woman is perfectly capable of directing a community decision-making body like a health committee, water supply point management committee, or production group or credit union management committee. And yet actual credit unions run by women have usually been well managed.

Full participation by rural women in the public life of their communities is still some way off. At a village meeting, for example, it is noteworthy that the women

[180] UNICEF, *Situation of Women and Children in Togo*, 1998.

[181] These grassroots development committees are known as village development committees (CVDs) in rural areas, while their urban counterparts are known as neighbourhood development committees (CDQs).

seldom join with the men in reaching decisions; in particular, they avoid contradicting a man in public. The other barrier to effective participation by women in rural community life, of course, is illiteracy.

7. Rural women and social security

Rural women do not have access to social security benefits. However, a number of social programmes, including literacy programmes, programmes on health, water, nutrition and sanitation, and social organization and mobilization programmes, have been developed expressly to meet the needs of rural women.

The coverage of these programmes is regrettably limited, owing to the inadequacy of the available financial resources and institutional infrastructure.

8. Access to drinking water

Fifty-three per cent of all Togolese families have access to drinking water. However, while clean water is available to 80 per cent of families in urban areas, the corresponding figure for rural areas is only 37 per cent.[182] The water sources used by rural communities are, in decreasing order, rivers, backwaters/retaining reservoirs, installed water supply points, traditional wells, and rainwater cisterns.

Table 40
Sources of drinking water for rural communities as at 31 January 1994

	Economic region					
Category	*Maritime*	*Plateaux*	*Central*	*Kara*	*Savanna*	**Total**
Rural population	813 686	837 630	307 024	413 405	428 510	**2 863 353**
Rural population theoretically served by urban and other DWS[183] systems	145 950	36 750	4 200	75 600	7 700	**270 200**
Rural population theoretically served by wells and boreholes	187 600	509 600	130 550	308 000	245 000	**1 380 750**
Percentage of population with access to drinking water	41%	65%	36%	96%	59%	**57**

Source: Water and Energy Directorate (DHE), Togo, 1995.

In all, 57 per cent of Togo's rural population has access to drinking water, but there are significant disparities between regions: coverage in the Central region is only 36 per cent, compared to 96 per cent in the Kara region. For the country as a whole, more than eight households out of ten can obtain drinking water from a source located within a radius of one kilometre. In some rural areas, however, women must walk for several kilometres in order to obtain water, and the water itself is frequently of dubious quality and likely to cause parasitic diseases.

The maintenance of water supply infrastructure, especially wells, is a further problem. A 1997 survey conducted jointly by the Regional Rural Development Directorate (DRDR) and SOTOCO, the Togolese Cotton Corporation, found that the only satisfactory water supply facilities were boreholes and retaining reservoirs. The failure rate for wells is of the order of 65 per cent, while 50 per cent of all

[182] Togo Population and Health Survey, 1998.
[183] Drinking water supply.

boreholes sunk and retaining reservoirs built to date are no longer operational: the pumps that draw water from the former have broken down, and the latter have nearly disappeared for want of maintenance.

The problems associated with lack of access to drinking water in rural areas may be summarized as follows:

- Procedural requirements for funding in this sector involve negotiations with a number of development cooperation structures, each with its own concerns and terms of reference;
- When a water supply facility is installed, a committee is established to see to its maintenance and management. In practice, unfortunately, many of these committees have not functioned effectively, and the decisions they reach have not always taken users' initiatives into account;
- Most rural people are uninformed about the relationship between water quality and diarrheal disease, and this is one reason why they tend to prefer to obtain their water from an unprotected source, even though a water supply point with a working pump may be located nearby.

9. Access to education for rural women (cf. article 10)

Most (61.5 per cent) of Togo's rural people have never attended school. Of that percentage, 72.6 per cent are women.[184] The education of the rural population in general, and of rural women in particular, continues to be a source of concern.

10. Access to employment for rural women

Women in rural areas work in agriculture (49 per cent), sales and services (25 per cent), and as manual labourers (25 per cent). Fewer than 1 per cent of rural women hold administrative posts.[185]

Women in general, and rural women in particular, have very little access to employment. Women occupying administrative, technical or professional positions account for no more than 2 per cent of all working women.[186]

11. Access to health care for rural women

Medical services are much less accessible to people who live in rural areas than to people who live in cities, as a very large majority of health care professionals are concentrated in Lomé and the surrounding area. The further a community is from Lomé, the smaller its chance of having access to high-quality health care.

While health care coverage remains inadequate, a substantial effort has been made in this area. In 1999, Togo had a total of 589 outlying health units (USPs)

[184] National agricultural census, 1996.

[185] Togo Population and Health Survey, 1998.

[186] EDST-II 1998. Every woman engaging in an activity on a regular or other basis in either the formal or the informal sector, regardless of whether she obtains a financial consideration in return for her work, is deemed to be employed.

providing primary health service and care in cantons, villages and urban neighbourhoods.[187]

While the USP network does not extend to villages that are hard to reach, especially in the rainy season, it provides relatively satisfactory geographic access to health care in all parts of Togo except the Central region. However, rural women's low purchasing power is a further barrier to their access to health care.

12. Provision for women's programmes in the national budget

The national budget makes financial resources available for programmes targeting women generally and rural women in particular through allocations to the General Directorate for the Advancement of Women. Unfortunately, the amounts involved are very small.

13. Family planning in rural areas (cf. discussion under article 12)

Traditional practices such as extended breastfeeding and post-partum abstinence are still the main family planning methods used in rural areas.

The main barriers to rural women's access to family planning services and counselling are:

- Contraceptive services are not readily available and tend to be accessible only at distant locations;
- Adequate information adapted to the needs of local women is generally not readily accessible;
- Women have little autonomous decision-making power (men tend to be hostile);
- Most women have little formal education;
- Poverty and the weight of sociocultural mores.

Action is being taken to make contraceptive services more readily available to users by establishing a community-based service delivery system.

14. Women's self-help groups

There are women's self-help groups in Togo, especially in rural areas. Most of them fall into one of two categories:

- Formal community-type self-help organizations (credit unions);
- Informal pre-cooperative groups.

The work that these groups are doing for the advancement of women is encouraging, but they continue to face a number of obstacles: they find it difficult to obtain access to credit owing to the high interest rates usually charged, they find it difficult to obtain access to productive resources such as land and technology, it is difficult for them to obtain access to information and training, and they lack basic education.

[187] Health Statistics Yearbook, 2000.

15. Access to ownership of land

In virtually all customary systems of landholding, women are barred from owning land. A woman is allowed only to work the land, with her husband's permission or the permission of her original family.

Marriage is a means of obtaining access to land, but a somewhat precarious one, since the breakup of the marriage may deny the access at any time. The system increases the risk of nutritional deficiency, given the predominant role played by women in food crop production, and it also means that women are usually unable to improve the land in order to make it more productive, thereby earning more income and joining the cash economy.

The 1974 agrarian reform, unfortunately, did not solve rural women's problem of access to land ownership. However, the Government and civil society continue to be concerned with the issue.

16. Situation of rural women

The situation of rural women may be inferred from the description of the living conditions of farm households in the following pages.

16.1. Housing characteristics[188]

The average rural family lives in a house with mud-brick walls and a thatched roof. Of the heads of household who responded to the 1996 national agricultural census, 87.3 per cent indicated that the family dwelling was built of sun-dried brick, compared to 8.7 per cent who reported that the family dwelling was of masonry construction and 3 per cent who reported that it was partially of masonry construction. A breakdown by regions shows that as of the date of the census, virtually all houses in the three northern regions were made of sun-dried brick: 97.7 per cent for the Savanna region, 96.8 per cent for the Kara region and 96.5 per cent for the Central region. In the southern part of the country, mud-brick houses accounted for 86.6 per cent of the total in the Plateaux region and 73.3 per cent of the total in the Maritime region. It thus appears that the Maritime region is the only one characterized by a significant proportion of masonry residential construction (19.1 per cent).

Just over half (50.3 per cent) of all dwellings have thatched roofs, while 47.9 per cent have sheet-metal roofs. The latter type is more common in the Plateaux region, with 60.5 per cent, and the Maritime region, with 52.8 per cent.

16.2. Domestic amenities[189]

The situation of Togolese families as regards water supply, means of lighting, energy source used for cooking, sanitary facilities and household goods may be summarized as follows:

– *Water supply*: 42.5 per cent of all farm families obtain their water from traditional wells, streams or rivers, 14.4 per cent from boreholes, 11.4 per cent from modern wells and 10.9 per cent from standpipes; only 3 per cent have

[188] National agricultural census, 1996.
[189] Ibid.

access to running water;

- *Lighting*: 96.9 per cent of all farm families light their homes with oil lamps. Very few (1 per cent) have access to electricity;

- *Cooking energy source*: More than 90 per cent of all farm families use firewood for cooking their meals;

- *Sanitary facilities*: Fewer than one quarter (19.2 per cent) of Togolese farm families have a latrine or WC. Most people (78.6 per cent) go off into the bush when necessary;

- *Household goods*: Radios and bicycles are the main items in this category, but are used primarily by men.

Table 41
Rural household goods

Indicator	*% Households*
Radio	41.8
Television	3.1
Refrigerator	0.3
Bicycle	40.4
Motorcycle	6.2
Car	0.7

Source: EDST-II 1998.

17. Structures promoting participation by women in community life

Structures through which rural people can participate in the public economic, political and cultural life of their community include:

- Grassroots development committees (CDBs): these are the outcome of a Ministry of Social Affairs initiative. They enable communities to have a voice in decision-making and subsequent action in various areas, including rural development, village water supply systems, schools, dispensaries, rural roads and rural radio service;

- Village-level participatory approach: this is a programme introduced by the Ministry of Agriculture, Livestock Production and Fisheries. Its aim is to foster the establishment of village development associations, also known as agricultural producers' associations (OPAs);

- Health management committees (COGES): these have been established by the Ministry of Public Health.

Women must, by law, be represented within these various structures, and it follows that they participate in decision-making, even though there are fewer women than men in most cases.

Another mode of participation in community life is the local management that is the rule for Togo's cantons and villages. Since the country has 259 cantons and 5,000 villages,[190] rural people, both men and women, may thus be said to participate in a sense in the life of their community.

In addition, rural women participate actively in such community activities as marriages, funerals and baptisms. However, women are underrepresented in local civil society organizations and in co-management and development structures.

Women are not prevented from participating in community activities by any dictate of custom, religion or culture; the real obstacle is their heavy burden of household tasks.

Article 15. Equality before the law and in civil matters

1. Capacity to conclude civil contracts

At the age of 21, every person of either sex is an adult and as such competent to enter into civil contracts of all kinds.[191]

The Convention on the Rights of the Child, which was ratified by Togo on 1 August 1990, sets the age of majority at 18; Togo's domestic legislation is in the process of being harmonized.

A woman has the right to enter on her own behalf into contracts relating to credit, the acquisition of real property, or other matters. She may also enter into contracts by giving her authorization or by appointing someone to act on her behalf. This capacity may be restricted only by her matrimonial regime.

As regards matters of trade and commerce, a woman may engage in an occupation that is distinct from her husband's occupation, unless her husband objects in the family's interest. Where such objection is unfounded, the woman may be authorized by a court to disregard it.[192]

2. Right to administer property

In view of the fact that the administration of property depends upon the legal capacity of every human being, women enjoy the same rights as men in this area, except in so far as a married woman's capacity may be restricted by her matrimonial regime.

A woman may be an executor or the administrator of an estate. The law distinguishes between legal succession and customary succession. With customary succession, a person is appointed to administer the estate of the deceased person, and as a rule that person is a man. It would be difficult for a woman to assume that duty, especially in view of the fact that women are regarded as being part of the estate in question and may be assigned on the same basis as goods and chattels (levirate system).

Under modern law, a woman, exercising the legal administration of her children's property, may be an administrator of property. She may also be designated an executor under a will. Despite this principle laid down in the law, however, women find it difficult to perform the duties of an administrator of property or executor, owing to the persistence of custom.

[190] Ministry of the Interior and Decentralization, August 2001.
[191] Personal and Family Code, article 109.
[192] Ibid.

3. Equal treatment by the courts

Equal justice for men and women is guaranteed by the Constitution. Women have access to the judicial system on the same basis and under the same conditions as men. For a married woman, however, the right to equal treatment by the courts may be somewhat restricted; from a sociological standpoint, a woman who has her husband prosecuted for any reason whatever is regarded with disapproval.

Togolese courts make no distinction between men and women who are brought before them. Both sexes are entitled to the same rights under comparable circumstances. A woman may be awarded damages on the same basis as a man, and if found guilty of an offence she may be given the same sentence as a male defendant. There is one situation in which a woman enjoys special treatment on the grounds of her sex: a pregnant woman who is sentenced to death may not be executed until her child has been born.[193]

4. Freedom of movement and freedom to choose a place of residence

An unmarried woman is free to choose her place of residence, no less than a man. She may also travel as she sees fit both within the country and abroad.[194]

Only marriage can restrict a woman's freedom to choose her place of residence. The law provides that husband and wife shall select their place of residence by mutual agreement; failing such agreement, the husband's choice shall prevail. However, where that choice is such as to endanger the wife and children physically or morally, the wife may be authorized to have a residence determined by a judge for herself and her children. Where the residence chosen by the husband places the wife at risk, she may request that they live separately.[195]

A married woman's home is her husband's home or a home designated by her husband, except where a court has authorized separate domicile.[196] Where a woman is divorced or separated from her husband, this ceases to be the case;[197] the woman may return to her original domicile, where she retains her right to do so, or select another domicile.

By custom, a woman is not under any obligation to live under the same roof as her husband. This situation is not conducive to a harmonious life for the couple and their children, nor does it promote family solidarity or the welfare of children and women.

Article 16. Equality in matters of marriage and family law

1. Regulation of family relations

[193] Code of Criminal Procedure, article 21.
[194] Personal and Family Code, article 104.
[195] Personal and Family Code, articles 16 and 17.
[196] Ibid.
[197] Ibid.

Family relations are regulated by law, primarily the Personal and Family Code, in the case of persons who marry in due form. In everyday life, however, family relations continue to be deeply marked by the influence of religious law and customary law.

2. Freedom to choose a spouse

The age of majority is 21, but the minimum lawful age of marriage is 20 for men and 17 for women.[198] However, where the prospective husband and wife have not attained the lawful age of marriage, a court may issue a dispensation where there is good and sufficient reason to do so.

Both bride and groom must personally consent to the marriage. Consent is not valid where it has been obtained by violence or where it has been given as a result of an error as to the physical or civil identity or other essential quality of one of the prospective spouses such that the other prospective spouse would not have consented had he or she been aware of the error.[199]

The State ensures that marriage is contracted with the woman's free and full consent by specifying, as a legal requirement, a solemn public ceremony in the course of which the civil registrar publicly hears and records the consent of both bride and groom. Only a marriage performed by the Civil Registrar, or by a traditional chief vested with the authority of a Civil Registrar, is of legal effect.[200]

Early marriage and forced marriage are not recognized at law. However, early marriages and forced marriages still occur in some regions of the country under the influence of custom and religious practices erroneously ascribed to Islam. The State, NGOs and women's associations are combating these phenomena through awareness campaigns.

3. Polygamous marriage

Polygamy is recognized by the law. It is the result of an option formally exercised by the bride and groom before the civil registrar during the marriage ceremony.

Polygamy is common in Togo. Forty-three per cent of all married women between the ages of 15 and 49 are in a polygamous union.

Polygamy is more frequent in rural areas than in urban areas, with 47 per cent of all marriages in the former compared to 34 per cent in the latter. The Central region, where Islam is more prevalent than elsewhere, has the highest incidence of polygamous marriage with 50 per cent, followed by the Savanna and Kara regions, both with 47 per cent.[201] Uneducated women account for 49 per cent of all women in polygamous unions, a larger proportion than the corresponding figures for women who have attended primary school (34 per cent) and women who have attended a

[198] Personal and FamilyCode, article 43. The age requirement of 20 years for a man and 17 years for a woman is the first substantive requirement for marriage. Under the Adoptive Child Code, the age of marriage has been harmonized at 20 years for both men and women, so that a form of gender-based discrimination relating to marriage has now been eliminated.

[199] Personal and Family Code, article 44. The personal consent of each of the prospective spouses is the second substantive requirement for marriage.

[200] Personal and Family Code, articles 75 and following.

secondary or post-secondary institution (33 per cent).[202]

4. The various matrimonial regimes

The law makes provision for three matrimonial regimes, any one of which may be freely selected by the bride and groom:[203]

- Regime of separate property;
- Regime of community of property;
- Regime of communal contribution to furnishings and acquisitions;

The ordinary law regime is the regime of separate property.

5. Responsibility of husband and wife in marriage

By marriage, a man and a woman commit themselves to life in common. They owe each other mutual respect, affection, fidelity, care and assistance in safeguarding the moral and material interests of the family and the children.[204]

During the marriage, the father and mother exercise their parental authority in common.[205] The man is the head of the family; husband and wife contribute to the support of the household according to their respective capacities. It is the husband who is primarily responsible for that support. The wife joins with the husband in providing the family with moral and material guidance, rearing the children and preparing them for independence. She may be the head of the family when the husband is not in a position to indicate his decisions.[206]

The obligations resulting from marriage are to a great extent reciprocal. In practice, observation has shown that some men tend to neglect or even to evade their responsibilities, thereby increasing the burden of responsibility that must be borne by their wives.

In a polygamous marriage, every wife is entitled to equal treatment.[207] All rights and duties resulting from monogamous marriage apply to polygamous marriage as well, i.e. between the polygamous husband and each of his wives. In reality, the idea of equal treatment between wives in a polygamous marriage is probably seldom attained.

The management of property in a marriage depends on the matrimonial regime selected by the couple. A woman's legal capacity is not affected by marriage; her rights of possession and acquisition remain intact, but her rights of administration

[201] Togo Population and Health Survey (EDST-II), 1998.
[202] Ibid.
[203] Provisions governing the various matrimonial regimes are set forth in Title VIII of the Personal and Family Code (articles 348 to 390).
[204] Personal and Family Code, articles 100, 101, 102 and 238.
[205] Personal and Family Code, article 99.
[206] Ibid.
[207] Ibid.

and disposal depend upon the matrimonial regime.[208] If her husband becomes bankrupt, her rights may be affected or they may not, depending on the regime. As a practical matter, even where a wife's property is not affected by her husband's bankruptcy, very often she will unhesitatingly contribute her own possessions to help him cope with the situation.

Under the regime of community of property, the husband is the legal administrator. He cannot assign property that is owned in common without his wife's consent. While the wife does not manage the property, she must state her views concerning the disposal of property that is owned in common and her husband's property.

6. Rights and responsibilities of partners in informal unions

Informal unions are not regulated in Togo. They are, however, very common. An informal union is based on a simple verbal contract (the content of which is usually vague) between the partners, and their respective rights and responsibilities result from this friendly agreement. Each parent has obligations toward the children, arising from their status as their parents. Parental authority over a child is exercised only by the parent, father or mother, who has voluntarily recognized the child; where both parents have recognized the child, parental authority is exercised by the father.[209] This is a serious form of discrimination against the woman in cases where the father is already married to someone else, since as a practical matter a child born out of wedlock is usually cared for by the mother rather than the father.

7. Women and divorce

Men and women are treated in the same way in the event of divorce. The grounds for divorce are no different for a man than for a woman. The decree of divorce is issued by a court, and the fact of the divorce is supposed to be entered on the birth certificate of each of the former spouses, and also on their marriage certificate. This requirement is seldom complied with, for two main reasons:

– Lack of coordination between the courts and the Civil Registrar's office;

– Inadequate training for the personnel of the Civil Registrar's office.

Upon divorce, goods and chattels and real property are divided in accordance with the matrimonial regime that was selected by the former spouses at the time of their marriage. Under the regime of separate property, each of them keeps his or her own possessions. However, the woman is invariably the loser, because during the marriage it was she who saw to the family's welfare by her housekeeping and child care activities, while her husband was building the family home and acquiring goods for the family's benefit, and all receipts for the purchase of such goods are in his name.

Where the husband and wife opted for the regime of community of property, the community is liquidated upon divorce. Each party recovers his or her own property, provided he or she can prove ownership.[210] Property that is owned in

[208] Personal and Family Code, article 99.
[209] Personal and Family Code, article 6.

common is divided equally between the man and the woman; the woman is invited to choose her share first.

Under the regime of communal contribution to furnishings and acquisitions, the property is liquidated as though the former husband and wife had opted for the regime of community of property.

In the case of a polygamous marriage, goods and chattels in the husband's main residence are deemed to belong to him; goods and chattels in a secondary residence are deemed to belong to the woman who lives in that residence.[211]

In the event of the death of the husband or wife, the couple's property is liquidated in the same way as in the case of divorce. Where the deceased spouse opted for application of the Code, the surviving spouse is entitled to one quarter of his or her estate.

The domestic work done by women, both housekeeping and (in the case of rural women) farm work, is unpaid and its value is not computed in monetary terms. At first sight, this does not appear to reflect the actual contribution made by the wife to the family's acquisition of goods. In judicial practice, however, magistrates have increasingly tended to give consideration to this invisible contribution made by wives to the resources accruing to the family.

8. Custody of children and retention of maiden name

A married woman retains her name and acquires the right to use her husband's name during her marriage and while a widow. Increasingly, women are using both their own names and their husbands' names.

Where parents have divorced, a child's mother is deemed to be his or her natural guardian up to the age of 7. Beyond that age, the child's interests are the only standard used to determine which parent is to care for him or her. For the issue of the custody of children born to parents in an informal union, see item 6 above ("Rights and responsibilities of partners in informal unions").

Wardship is a means of providing a child the protection to which he or she is entitled. Wardship arises in cases where the child's father and mother are both dead or have lost the exercise of parental authority. It also arises in the case of a child born out of wedlock who has not been voluntarily recognized by either parent.

A woman has the right to adopt a child through the same procedures and subject to the same conditions as a man.[212]

Where a divorced woman was not the party at fault in the case, and where the divorce has left her economically worse off than she was during her marriage, she may ask a court to award her monetary compensation as a supplement to her income. The amount of such compensation is at the discretion of the court.[213]

[210] Personal and Family Code, articles, 351, 384.
[211] Personal and Family Code, article 142.
[212] Personal and Family Code, article 273.

Where a woman has been awarded custody of the children, her former husband is required to pay her an allowance for their support; the amount of such allowance is based on his income. In practice, men are frequently reluctant to pay for the support of their children, but there are legal means of compelling them to do so. A court may order a man's wages or salary to be garnished, for example, in the case of a civil servant or wage-earner, or, in the case of a self-employed person, it may order the amount owing to be seized from the man's bank account.

9. Women and inheritance

In customary law, women are usually barred from inheriting land. This is a serious barrier to their advancement.

A married woman's right to inherit is legally precarious, as custom takes precedence over modern law in matters of inheritance. Article 391 of the Personal and Family Code stipulates that succession by law applies only to persons who have expressly renounced the rules of inheritance laid down by custom. This wording was an attempt to satisfy both conservatives and modernists, but the compromise has left the position of married women unaltered. It is no simple matter to renounce custom, and may even be said to be impossible in many cases, inasmuch as most married couples have never heard of the Code.

In a number of traditions, a woman cannot be sure of inheriting anything at all by custom. A woman seldom has a share in her late husband's estate; his property is frequently deemed to belong to his original family.

Widowhood rites are still regularly observed in Togo, and are tolerated. But a woman who refuses to submit to such rites on the grounds that they are physically dangerous or offensive cannot be held to have committed a breach of decorum sufficient to warrant her exclusion from her late husband's succession.

[213] Personal and Family Code, articles 141 and following.

Conclusion and recommendations

This report is the outcome of a long process that has been made possible by the contributions of representatives of various Government agencies, central, regional and prefectural, and representatives of NGOs working for the protection and advancement of women's rights.

This report has provided Togo with an opportunity of surveying and summarizing the situation of women's rights in the country 17 years after its accession to the Convention on the Elimination of All Forms of Discrimination against Women. We now have a clear view of the progress that Togolese women have made in that area.

Substantial efforts have been made by Togo's governmental institutions and its development partners to provide women with access to and the legitimate enjoyment of their rights. It is true that there are still barriers which must be removed if the status of women is to be improved, but the Togolese authorities cannot allow those barriers to stand in the way of their action to that end.

By way of illustration, the restructuring of the General Directorate for the Advancement of Women (DFPF) pursuant to an Executive Order issued by the President of the Republic in September 1994 was a major institutional advance. As we have seen, this mechanism for the advancement of women now works through three technical directorates, including the Status of Women Directorate (DSJF).

That central directorate, in fact, is the secretariat of the sectoral committee entrusted with responsibility for preparing this report on the Convention. One of the great strengths of the DSJF is its Centre for Documentation, Information and Research on Women. The Centre's importance will be enhanced within the next few years by the addition of a training programme.

At this point we may note a second institutional advance in the form of a training course on the preparation of initial and periodic reports that was taken by most of the members of the sectoral committee. The course was held in 1996 as part of a human-rights programme initiated by UNDP and executed by the Ministry of Justice and Human Rights.

The training provided in that connection contributed substantially to the outcome here presented, i.e. the preparation of this document.

The establishment of a National Committee on the Convention will constitute a third essential advance. An Interministerial Executive Order establishing such a committee will be issued in the near future. This new structure will be made up of representatives from Ministries and civil society organizations, and it will be decentralized to the country's five economic regions.

Furthermore, the Sectoral Committee that has prepared this report wishes to emphasize a recent demonstration of political will in the form of a Presidential Executive Order establishing a national commission for the task of formulating proposals for revision of the Personal and Family Code.

However, there is no denying that the committee's work was impeded by various constraints. It found itself confronted by a number of difficulties of no small proportions. Those difficulties included:

– difficulties relating to the gathering of data

The task of assembling recent relevant information for the purpose of preparing the report proved to be a very difficult one, owing to the fact that few such data were available; indeed, information was effectively non-existent in some instances.

– Lack of the material and financial resources that would have permitted more periodic contact and exchanges of information among national and regional committees on the Convention and local communities.

In order to rectify this situation, it is essential to establish an adequate framework within which the Committee can perform its function, especially as regards the preparation of periodic reports. In this connection, we may note that Togo's next deadline is September 2004.

In the light of its findings, the committee submits the following recommendations:

• Togolese Government:

– Establishment of an appropriate legal framework for the work of the committee on the Convention for the Elimination of All Forms of Discrimination against Women;

– Allocation of substantial funds to enable the committee to perform its functions of following up and evaluating the implementation of the Convention in the field, to facilitate the gathering of data and the creation of a reliable, up-to-date data bank, and to enable the committee to acquire computer equipment, among other things;

– Enactment of legislation containing no gender-discriminatory provisions, in accordance with the terms of the Convention.

• NGOs and other development partners:

– Action to ensure that the concerns set forth in the Convention relating to the promotion and protection of women's rights are included in their programmes and action plans;

– Close collaboration with the committee in gathering information required for the preparation of future periodic reports.

• Togo's bilateral and multilateral partners:

The Government's commitment and the actions of local NGOs cannot possibly be translated into practical reality in the absence of a determined effort by the international community, as expressed in support in all areas aimed at enabling Togo to attain the objectives of the Convention:

– Support for the committee with a view to conducting research in such areas of critical concern as incentives aimed at stimulating entrepreneurship among women, the feasibility of extending social security benefits to various social categories, specifically rural woman, and ways and means of doing so, and the

identification of barriers to women's exercise of their rights of inheritance as a step toward legislative reforms aimed at introducing a system of inheritance that is fairer to them;

- Support for surveys and consultations aimed at eliminating judicial and institutional lacunae in various areas as identified in this report;
- Budgets that include lines of credit for the preparation of periodic reports and the enhancement of institutional capacities (training and skills development for members of the committee on the Convention with a view to the production of relevant reports);
- Funding for members of the delegation of Togo in New York who are required to attend the meeting at which this report will be discussed (travel and accommodation expenses).

Bibliography

1. Constitution of the Fourth Republic of 14 October 1992
2. Personal and Family Code (1980)
3. Labour Code (1974)
4. Social Security Code (1978)
5. National Health Policy (1996)
6. National Pharmaceutical Policy (1997)
7. National Population Policy (1998)
8. National Education and Training Policy (1998)
9. Declaration of the National Policy on the Advancement of Women (1997)
10. Togo Population and Health Survey (1998)
11. Togo National Agricultural Census (1996)
12. Education Statistics Yearbooks (1997, 1998, 1999)
13. *Histoire des Togolais*, vol.1. UB Press (1997)
14. Women entrepreneurship promotion action plan (1999)
15. *Situation of Women and Children in Togo*, UNICEF 1998
16. *The State of the World's Children*, UNICEF 2001.

List of members of the Sectoral Technical Committee

1. Women

Aminata AYEVA-TRAORE, Political scientist, Technical Advisor to the Ministry of Social Affairs, Status of Women and Child Protection, Acting Director, General Directorate for the Advancement of Women

N'do PABOZI, Barrister and Solicitor, Coordinator, Commission for the Preparation of Initial and Periodic Reports on Human Rights

Kokoè GABA-AMOUZOU, Senior Physician, School Medical Division (Youth and Adolescent Health)

Abra TAY, Diplomat with the Ministry of Foreign Affairs and Cooperation

Afiwa Evelyne HOHOUETO, Magistrate, Deputy Inspector, Judicial Services, representing the ONG GF2D

Pierrette GAYIBOR, Magistrate, President of the Judicial Chamber of the Supreme Court, representing the NGO WiLDAF-TOGO

2. Men

Koffi Badjow TCHAM, Professor of History, University of Lomé, Chief of Staff, Ministry of Social Affairs, Status of Women and Child Protection

Dossè d'ALMEIDA, Barrister and Solicitor, Professor of Law, University of Lomé, Chief of Staff, Ministry of Justice, with Responsibility for the Promotion of Democracy and the Rule of Law

Mama-Raouf TCHAGNAO, Barrister and Solicitor, Director, Status of Women Directorate, General Directorate for the Advancement of Women (DGPF), member of the Secretariat, Sectoral Technical Committee responsible for preparing the report on the Convention

T. Komlan TCHAMIE, Geographer, Deputy Director, Academic Affairs and Course Requirements Directorate, University of Lomé

Ayité AYIVI AMAH, Statistician, Ministry of Planning

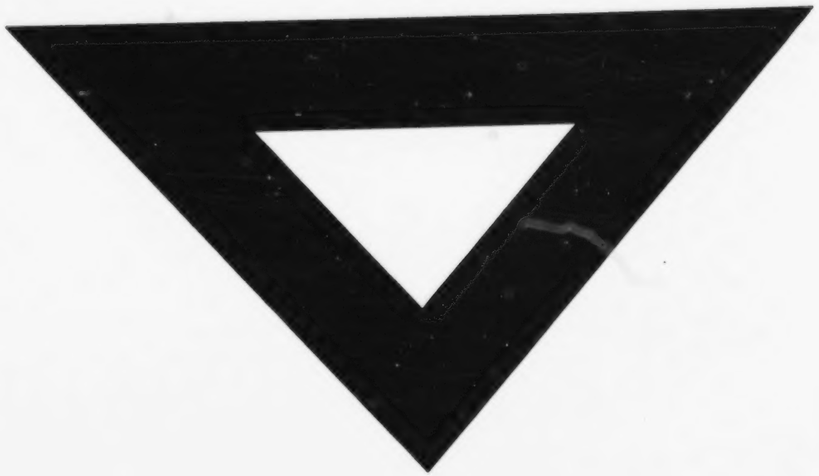
Wiyao GNOM, Barrister and Solicitor, Chief, Protection of the Status of Women Division, Status of Women Directorate, member of the Secretariat, Sectoral Technical Committee responsible for preparing the report on the Convention

Technical support personnel:

Mrs. Ayaba SODATONOU, Chief of the Secretariat, in charge of general activities

Miss Denise BANASSIM, Computer specialist, in charge of document keyboard entry

Mr. Koffi ADONSOU, Chief Accountant, in charge of financial management in connection with the report on the Convention

st of participants in the validation workshop 26, 27 and 28 November 2001

me	Ministry/other body
Mrs. Irène Ashira ASSIH, Minister	Social Affairs, Status of Women and Child Protection
Mr. Koffi Badjow TCHAM	Social Affairs, Status of Women and Child Protection
Mrs. Aminata AYEVA-TRAORE	Social Affairs, Status of Women and Child Protection
Mr. Mama-Raouf TCHAGNAO	Social Affairs, Status of Women and Child Protection
Mr. Wiyao GNOM	Social Affairs, Status of Women and Child Protection
Mr. LARE	Social Affairs, Status of Women and Child Protection
Mr. Dossè d'ALMEIDA	Justice and Human rights
Mrs. Nakpa POLO	Justice and Human Rights
Mrs. Afiwa Evelyne HOHOUETO	Justice and Human Rights
. Mr. Toï ADOKI	Justice and Human Rights
. Mrs. Kokoè GABA-AMOUZOU	Public Health
. Mr. Bouraïma LABODJA	Public Health
. Mrs. Abra TAY	Foreign Affairs and Cooperation
. Mr. T. Komlan TCHAMIE	National Education and Research
. Mr. GBEMOU	National Education and Research
. Mr. Tagba KADIRO	Technical Education and Vocational Training
. Mrs. Matom GAOU	Planning
. Mr. Ayivi Ayité AYI	Planning
. Mr. Faïbé KOMBATE	Planning
. Mr. Clément AGBEDANOU	Facilities
. Mrs. Swéto GBODUI	Culture, Youth and Sports
. Mr. Koum-Miguiba DJOBO	National Human Rights Commission
. Mr. Koudjo NOUDONOU	Communication and Civic Education
. Mr. Doé Amah LAÏSON	Employment and Labour
. Mrs. Agnès KAMAGA-KAHAKA	Trade and Industry
. Mr. Kossi Alain KOUDAKO	Private Sector
. Mrs. Noufo NAPO	Agriculture, Livestock Production and Fisheries
. Mr. KAVEGUE	Parliament
. Mr. NADJIR	Parliament
. Mrs. Pierrette GAYIBOR	Women, Democracy and Development Study and Action Group (GF2D)
. Mrs. Félicité KOUBLANOU	NGO La COLOMBE
. Mrs. Assibi NAPOE	Togolese League for Women's Rights (LTDF)
. Mme Akossiwa AYENA	Togo Network for Women's Leadership (RTLF)
. Mrs. Ama ESSO	*Objéctif Femme et Developpement* (OFED)
. Mrs. Dédévi Michèle EKUE	*Réseau des Femmes Africaines Ministres et Parlementaires* (REFAMP)
. Mrs. Adjoavi MOGORE	Union of Togo NGOs (UONGTO)
. Mr. Kossi MIGAN	Federation of Togo NGOs (FONGTO)
. Mrs. Souad ABDENNEBI	CAF/CEA